

mination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

17. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

18. The Returning Officer shall without delay report the result of the election to the Local Administration and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

19. The Local Administration shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 4 ;
- (b) the attestation of nomination papers under rule 7 ;
- (c) the scrutiny of nomination papers under rule 10 ;
- (d) the attestation of voting papers under rule 12 ; and
- (e) the counting of votes under rule 15.

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Place of Residence.
6. Signature of proposer.
7. Signature of seconder.

Signed in my presence by _____ and _____ who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as _____ and _____ on the electoral roll of members of Municipal Committees in Berar.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the _____ day of _____ and between the hours of _____ and _____ at the office of _____

FORM III.
(See rule 12.)

VOTING PAPER.

One person is to be elected by the electors of the Berar Municipal Committees with a view to his being nominated to the Legislative Council of the Chief Commissioner of the Central Provinces. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

- Each elector has one vote.
- He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
- The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
- Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
- Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [

on the electoral roll of members of Municipal Committees in Berar.

] No.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

SCHEDULE II.

[See Regulation II, sub-head (ii) and Regulation II (2).]

RULES FOR ELECTION BY THE DISTRICT BOARDS IN BERAR.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Administration may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means such officer as the Local Administration may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The person specified in Regulation II, sub-head (ii), shall be elected by the members qualified to vote other than those appointed *ex-officio*, (hereinafter referred to as 'electors') of the District Boards of Berar.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Administration in this behalf an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the said Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Administration may, by notification in the local official Gazette, direct.

(2) At the time so notified the Deputy Commissioner may of his own motion, and shall, on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner, after such enquiry and hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of Berar, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and having a place of residence in Berar may be nominated as a candidate for election if he is, or has during the decade expiring on the date of the election for any period aggregating three years been, a member of a District Board in Berar.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Administration in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers or if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Administration may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Administration for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VI and XII.

Voting.

10. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Administration may prescribe.

11. (1) On such date and at such time as may be appointed by the Local Administration in this behalf, every elector desirous of recording his vote shall attend for the purpose at the office of the Attesting Officer.

(2) The Attesting Officer shall deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render his vote invalid.

(7) If an elector is unable to read or write, or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 14 (4) or in Regulation XII, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Administration in this behalf:

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VI and XII.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot, to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Local Administration and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Administration shall appoint and notify, in such manner as it thinks fit, such date, and if necessary, such time and place, as it may think suitable for each of the following proceedings, namely:—

(a) the publication of the electoral roll under rule 3;

(b) the attestation of nomination papers under rule 6;

(c) the scrutiny of nomination papers under rule 9;

(d) the attestation of voting papers under rule 11; and

(e) the counting of votes under rule 14.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF MEMBERS OF DISTRICT BOARDS IN BERAR.

Serial No.	Name of District Board.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6
1					
2					
3					

FORM II.

(See rule 6.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address
5. Place of residence.
6. Signature of proposer.
7. Signature of seconder.

Signed in my presence by _____ and _____ who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as _____ and _____ on the electoral roll of members of District Boards in Berar.

*Attesting Officer.**Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on the _____ day of _____ and between the hours of _____ and _____ at the office of _____.

FORM III.

(See rule 11.)

VOTING PAPER.

One person is to be elected by the electors of the District Boards of Perar with a view to his being nominated to the Legislative Council of the Chief Commissioner of the Central Provinces. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [
 on the electoral roll of members of District Boards in Berar.

] No.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

SCHEDULE III.

[See Regulation II, sub-head (iii), and Regulation II (2).]

RULES FOR ELECTION BY LANDHOLDERS IN BERAR.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Administration may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means such officer as the Local Administration may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The person specified in Regulation II, sub-head (iii), shall be elected by the landholders of Berar.

Qualifications of Electors.

3. (1) The election shall be made by all persons qualified to vote, having a place of residence in Berar, and holding land therein in other than tenancy right—

(a) whose land is assessed to land revenue at not less than Rs. 1,000; or

(b) whose names are entered in the Durbar list prepared under the authority of the Chief Commissioner of the Central Provinces; or

(c) who hold the office of Honorary Magistrate:

Provided that no person shall have more than one vote though he may possess more than one of the qualifications above described.

(2) In the case of a Hindu joint family qualified under the last sub-section the name of the manager of the family, or of any member of the family whom the manager may appoint in writing in this behalf, shall be entered in the roll as the representative, for the purpose of the roll, of such family.

(3) In determining the eligibility of a landholder as an elector, only land revenue assessed on such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account. Any portion of his estate which is revenue free, either wholly or in part, shall be taken as supporting the land revenue to which it would be assessed but for the fact that it is revenue free, either wholly or in part.

(4) If the amount paid by the landholder in respect of any such share of an estate is not definitely known the Deputy Commissioner of the district in which such estate is situated shall estimate the amount so paid in respect of such share and his decision shall be final.

Electoral Roll.

4. (1) On or before such date as may be appointed by the Local Administration in this behalf, an electoral roll of landholders qualified under rule 3, hereinafter referred to as electors, in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of Electoral Roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Administration may, by notification in the local official Gazette, direct.

(2) At the time so notified the Deputy Commissioner may of his own motion, and shall, on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of Berar, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and Nomination of Candidates.

7. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Administration in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Administration may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

10. (1) On the date and at the time appointed by the Local Administration for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VI and XII.

Voting.

11. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Administration may prescribe.

12. (1) On such date and at such time as may be appointed by the Local Administration in this behalf, every elector desirous of recording his vote shall attend for the purpose at the office of the Attesting Officer.

(2) The Attesting Officer shall deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the

Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render his vote invalid.

(7) If an elector is unable to read or write, or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

13. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following, the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to the Schedule of the electors whose voting papers he has attested.

Counting of Votes and declaration of Result.

14. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and save as provided in rule 15 (4) or in Regulation XII such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

15. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Administration in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 14 to the candidates or their representatives.

(4) If any objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VI and XII.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

16. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

17. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for the period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of Result.

18. The Returning Officer shall without delay report the result of the election to the Local Administration and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

19. The Local Administration shall appoint and notify, in such manner as it thinks fit, such date, and if necessary, such time and place, as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 4 ;
- (b) the attestation of nomination papers under rule 7 ;
- (c) the scrutiny of nomination papers under rule 10 ;
- (d) the attestation of voting papers under rule 12 ; and
- (e) the counting of votes under rule 15.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF LANDHOLDERS IN BERAR.

Serial Number on roll.	Serial number on District list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 3 (1) (a) who pays land revenue, or holds land free of revenue in more than one district, details of the land revenue payable or nominally assessed in each district shall be entered in column 6, where the land revenue payable or nominally assessed in any one district does not exceed Rs. 1,000.

3. In determining the eligibility of a landholder as an elector only land revenue payable on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account. Any portion of his estate which is revenue free, either wholly or in part, shall be taken as supporting the land revenue to which it would be assessed but for the fact that it is revenue free, either wholly or in part.

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Place of residence.
6. Signature of proposer.
7. Signature of seconder.

Signed in my presence by _____ and _____ who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as _____ and _____ on the electoral roll of landholders in Berar.

*Attesting Officer.**Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the _____ day of _____ and between the hours of _____ and _____ as the office of _____

FORM III.

(See rule 12.)

VOTING PAPER.

One person is to be elected by the landholders of Berar, with a view to his being nominated to the Legislative Council of the Chief Commissioner of the Central Provinces. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [on the electoral roll of landholders in Berar.

] No.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

(See rule 13.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Attesting Officer.

J. B. WOOD,

Offg. Secretary to the Government of India

FINANCE DEPARTMENT.

NOTIFICATIONS.

LEAVE AND APPOINTMENTS.

Simla, the 13th November, 1913.

No. 1446-F. E.—Mr. S. C. Tomkins has been posted to the office of the Chief Examiner of Accounts, North Western Railway, with effect from the 27th October 1913.

No. 1534-A.—In Finance Department (Military Finance) Gazette Notifications Nos. 1280-Accounts and 1323-Accounts, dated the 19th and 26th September 1913, respectively, granting combined leave to Mr. T. G. Smith, Deputy Examiner, 1st grade, and making officiating appointments in his place, for "13th September 1913" read "9th September 1913."

The 14th November, 1913.

No. 1447-F. E.—Mr. R. W. Badock, Assistant Accountant General, Punjab, has been granted privilege leave for 8 days and in continuation furlough on medical certificate for 5 months and 22 days, with effect from the 3rd November 1913.

J. B. BRUNYATE,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 12th November, 1913.

No. 48.—Mr. R. A. Fitzherbert, Assistant Engineer, Bombay, whose services have been placed at the disposal of the Government of India, is appointed to the charge of the Imperial Sub-division, Simla, with effect from the 1st November 1913.

The 13th November, 1913.

No. 49.—Mr. Walter Alexander Boermal, Sub-Engineer, 1st grade, Central Provinces, is appointed to the Provincial Service of the Engineer Branch of the Public Works Department as an Assistant Engineer and is posted to the Central Provinces.

The 14th November, 1913.

No. 50.—Mr. H. M. Marchant, Officiating Superintendent, 3rd grade, is promoted to be Superintendent, 3rd grade, *s. p. t.*, with effect from the 13th October 1913.

R. P. RUSSELL,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

CUSTOMS ESTABLISHMENT.

Simla, the 15th November, 1913.

No. 9500-2.—On his return from leave on the forenoon of the 30th October 1913, Mr. A. R. Bennett, an Assistant Collector in the Imperial Customs Service, is posted to Bombay.

No. 9766-4.—*Rao Bahadur* Sadanand Tiimbak Bhandare, an Assistant Collector in the Imperial Customs Service, has been permitted to retire from the service, with effect from the 4th November 1913.

No. 9777-2.—The services of Mr. H. F. Howard, C.I.E., I.C.S., Collector, Class I, in the Imperial Customs Service, are placed at the disposal of the Government of Bengal, Marine Department, with effect from the date on which he returns from leave up to the 31st December 1913.

R. E. ENTHOVEN,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 13th November 1913.

COMMANDS.

No. 933.—Colonel W. H. Sitwell, C.B., D.S.O., British Service, to be a Brigade Commander, *vice* Major-General C. St. L. Barter, C.V.O., C.B., British Service, vacated, and is granted the temporary rank of Brigadier-General whilst so employed. Dated 7th November 1913.

LONDON GAZETTE.

No. 934.—The following extract is published for general information :—

"London Gazette," dated the 24th October 1913, page 7439.

* * * * *

*India Office,
October 24, 1913.*

The KING has approved of the admission of the undermentioned officer to the Indian Army :—

To be Captain.

Captain Thomas de Beauvoir Carey, by exchange from The Royal Fusiliers (City of London Regiment). Dated 25th October 1913, but to rank from 18th April 1909. Captain Carey's rank as Lieutenant is post-dated to the 18th July 1902.

* * * * *

PROMOTIONS.

INDIAN ARMY.

No. 935.—The following promotion is made, subject to His Majesty's approval :—

Captain to be Major.

Walter Kemp Bourne, 2nd Lancers (Gardner's Horse),—13th November 1913.

INDIAN MEDICAL SERVICE.

No. 936.—The following promotion is made, subject to His Majesty's approval :—

Major to be Lieutenant-Colonel.

Ewan Cameron MacLeod,—29th July 1913.

SUPPLY AND TRANSPORT CORPS.

Amalgamated List.

No. 937.—Staff-Sergeant James Ernest Curtis, Amalgamated List, to be Sub-Conductor on that list, *vice* John Fox, Amalgamated List, deceased; with effect from the 29th October 1913.

INDIA MISCELLANEOUS LIST.

No. 938.—Sub-Conductor George Marlow to be Conductor, and Supernumerary Sub-Conductor Herbert Walker to be absorbed in that rank, *vice* Edward Henry Chapman, transferred to the pension establishment; with effect from the 18th September 1913.

NATIVE ARMY.

APPOINTMENTS AND PROMOTIONS.

No. 939.—The following promotions are made :—

No. 26 (Railway) Company, Sappers and Miners.

Jemadar Sher Baz to be Subadar and Havildar Fazal Din to be Jemadar, *vice* Maksud Ali Khan, transferred to the pension establishment ; with effect from the 1st October 1913.

80th Carnatic Infantry.

Jemadar Abdul Ghafur to be Subadar and Colour-Havildar Muhammad Dastagir to be Jemadar, *vice* Saiyid Abdullah, transferred to the pension establishment ; with effect from the 16th October 1913.

108th Infantry.

Colour-Havildar Antu Naik to be Jemadar, *vice* Ambaji Utekār, promoted ; with effect from the 28th May 1913.

PENSIONS.

WARRANT OFFICERS.

No. 940.—The undermentioned warrant officers have been transferred to the pension establishment, with effect from the dates specified :—

Conductor Frederick Merrell, Ordnance Department, Northern Army,—16th September 1913.

Conductor Edward Henry Chapman, India Miscellaneous List,—18th September 1913.

RETIREMENTS.

INDIAN ARMY.

No. 941.—The undermentioned officer has been permitted by the Most Hon'ble the Secretary of State for India to retire from the service, subject to His Majesty's approval, with effect from the date specified :—

Lieutenant-Colonel Auberon Arthur Howell, Supernumerary List,—12th November 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Calcutta Port Defence Volunteer Corps.

(Naval Divisions.)

No. 942.—Norman McLeod Ross to be Sub-Lieutenant, to fill an existing vacancy. Dated the 26th September 1913.

Sind Volunteer Rifles.

No. 943.—Charles Edwin Lindsay, Anderson to be Second Lieutenant, to fill an existing vacancy. Dated the 25th June 1912.

MEDALS AND DECORATIONS.

No. 944.—His Excellency the Governor-General of India is pleased to confer the Volunteer Officers' Decoration upon the undermentioned officer :—

Surma Valley Light Horse.

Major Benjamin William Hallifax.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

ARMY DEPARTMENT.

NOTIFICATION.

Simla, the 14th November 1913.

Under Clause 53 of the Regulations appended to the Regimental Debts Act, 1893, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers on the dates specified, were received in the Army Department between the 5th and 11th November 1913 :—

Corps.	Rank and Name.	Date of Decease.	Place of Decease.	Testate or Intestate.	Remarks.
India Miscellaneous List.	Conductor Henry Thomas Owen.	1st November 1913.	Calcutta	Was Superintendent, Quartermaster General's Branch.
13th Hussars ...	2nd-Lieutenant John Walter Taylor	8th November 1913.	Meerut

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

MARINE DEPARTMENT.

Simla, the 14th November 1913.

APPOINTMENTS.

No. 87.—The following appointment is made in the Royal Indian Marine by the Most Hon'ble the Secretary of State for India, with effect from the 12th September 1913 :—

To be Assistant Engineer.

Albert Edward Frank Orchard.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATIONS.

Simla, the 11th November, 1913.

No. 327.—With reference to Railway Board's Notification No. 324, dated the 7th November 1913, Mr. L. E. Brock, Assistant Locomotive Superintendent, North Western Railway, in class III, grade I, of the Superior Revenue Establishment of State Railways is appointed to officiate as a District Locomotive Superintendent in class II on that Railway, with effect from 14th October 1913 and until further orders.

No. 328.—*Corrigendum.*—In Railway Board's Notification No. 288, dated the 21st October 1913, for " 11th September 1913 " read " 11th October 1913 ".

The 12th November, 1913.

No. 329.—*Addendum.*—After the word railway in line 4 of Railway Board's Notification No. 262, dated the 18th September 1913, insert the words with effect from the 30th August 1913.

No. 330.—In exercise of the powers conferred by the Notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, and in pursuance of section 47, sub-section (3) of the Indian Railways Act, 1890 (IX of 1890), as in force in British India or as locally applied, the Railway Board sanction the

following rules, made under sub-section 1, clause (7) of the said section, for and to be applicable to the East Indian Railway situate in British India or in Native States for regulating the terms and conditions on which the Railway administration will warehouse or retain goods at any station or depôt on behalf of the consignee or owner :—

EAST INDIAN RAILWAY.

RULES FOR THE WAREHOUSING AND RETENTION OF GOODS.

I.—WHARFAGE.

On goods for despatch waiting to be consigned.

1. For goods of every description brought on to Railway premises for despatch but not consigned, wharfage may be charged at a rate not exceeding one anna per maund or part of a maund per day or part of a day, if consignment notes are not received before closing time of the day on which such goods are brought to the station.

2. Goods will, in all cases, be at owner's risk until taken over by the Railway administration for despatch and a receipt in the prescribed form has been granted duly signed by an authorized Railway servant.

On goods available for delivery.

3. (1) A wharfage charge may be levied in respect of all goods not removed from Railway premises before closing time of the day following that on which they are made available for delivery.
- (2) The charge referred to in sub-rule (1) shall not exceed, per day or part of a day, one anna per maund or part of a maund, calculated—
 - (a) where freight is levied on weight, upon such weight ; and
 - (b) where freight is levied on the vehicle in or on which the goods are carried, upon the carrying capacity of such vehicle.
- (3) The goods shall be warehoused either under cover or in the open as space may be available.

On luggage and parcels available for delivery.

4. (a) For unclaimed booked luggage and parcels a wharfage charge not exceeding two annas per maund or part of a maund per 24 hours or part of 24 hours, with a minimum charge as for one maund, may be made if they are not removed from Railway premises within 48 hours from midnight of the day of arrival.

On carriages, palanquins and motor cars by passenger train.

(b) For unclaimed carriages, palanquins and motor cars carried by passenger train, a charge of two annas per maund or part of a maund per 24 hours or part of 24 hours may be made after expiry of 24 hours from the time they are available for delivery, calculated upon the carrying capacity of the vehicle on or in which, they are carried, subject to a minimum of 8 annas per hour.

On birds, poultry and animals.

(c) For birds, poultry and animals charges may be made as follows, after the expiry of 6 hours from the time they are available for delivery :—

Animals.—One anna per animal per hour or part of an hour.

Poultry.—One anna per head per hour or part of an hour.

Birds in baskets or crates, etc.—One anna per cubic foot or part of a cubic foot, per hour or part of an hour.

These charges to be in addition to any expenses entailed in feeding the birds, animals, etc.

Notice of arrival.

5. Subject to the provisions of section 56 of the Indian Railways Act, 1890 (IX of 1890) notice of arrival will be sent when practicable, but the Railway administration will accept no responsibility for non-receipt thereof.

II.—DEMURRAGE.

On vehicles both goods and coaching other than passenger carriages ordered and waiting to be loaded by senders.

6. (a) Demurrage at a rate not exceeding one anna per ton or part of a ton of carrying capacity per hour or part of an hour may be charged on all vehicles ordered and not loaded, or loaded and not made available for despatch, after the expiry of 9 hours of daylight from the time at which they are placed in position for the purpose, subject to a minimum of 8 annas per hour, per coaching vehicle other than passenger carriages.

On loaded vehicles both goods and coaching other than passenger carriages waiting to be discharged by consignees.

(b) Demurrage at a rate not exceeding one anna per ton or part of a ton of carrying capacity per hour or part of an hour may be charged on all loaded vehicles requiring to be discharged by owners which are not discharged after the expiry of 9 hours of daylight from the time of being placed in position for unloading subject to a minimum of 8 annas per hour per coaching vehicle other than passenger carriages. The Railway administration may, at its option, unload the vehicle and charge the consignee for doing so and charge wharfage on the contents under Rule 3.

On reserved carriages and special trains.

7. For reserved carriages and special trains which are ordered and not availed of, or which are availed of and detained *en route* or at destination stations, demurrage charges may be made as follows :—

Reserved carriages ordered but not made use of by the train for which ordered eight annas per four-wheeled vehicle, and one rupee per bogie vehicle per hour or part of an hour until, attached to a running train.

Reserved carriages detained *en route* or at destination station eight annas per four-wheeled vehicle, and one rupee per bogie vehicle, per hour or part of an hour, after the expiry of one hour after arrival at the station at which detained.

Special trains.—If not availed of, eight annas per vehicle per hour, and ten rupees per hour for the engine.

Special trains—detained en route or at destination station.—Eight annas per vehicle per hour and rupees ten per hour for the engine.

III.—CALCULATION OF CHARGES.

8. In calculating wharfage and demurrage charges fractions of one anna less than six pies shall be dropped and six pies and over shall be charged as one anna. Where the total amount of demurrage or wharfage due on any consignment is less than two annas it shall be foregone.

IV.—GENERAL.

9. (a) Demurrage and wharfage charges as herein prescribed are also payable on *part* consignments available for delivery, but not removed from Company's premises within the free time prescribed.

(b) In the event of goods requiring to be loaded or unloaded by owners becoming liable to both demurrage and wharfage charges the Railway administration may levy both demurrage and wharfage charges for such periods as the goods would be liable to such charges under these rules.

10. If and for so long as the state of the traffic or any sudden emergency makes it necessary, and after advertisement in the local newspapers, the rate of demurrage or wharfage may be increased and the free time curtailed.

11. The Railway administration shall have the same lien on goods for demurrage, wharfage, and, if incurred, for unloading, as for freight; and these charges must, unless under special arrangements a running account is kept, be paid before the goods are removed.

12. Where the free time allowed in the previous rules includes either Sunday, Christmas Day or Good Friday, such days shall be allowed free in addition.

V.—TREATMENT AND DISPOSAL OF UNCLAIMED GOODS, LUGGAGE AND PARCELS AND OF LOST PROPERTY FOUND IN RAILWAY VEHICLES OR ON RAILWAY PREMISES.

13. Subject to the exception mentioned in Rule 18 below, unclaimed goods shall be kept on hand at the station to which invoiced for a period of not less than one month during which time the notice prescribed in section 56, sub-section (1) of the Indian Railways Act 1890 (IX of 1890), will, if possible, be served upon the person appearing entitled thereto.

14. If not taken delivery of within a period of not less than one month after receipt at the station to which invoiced, unclaimed goods may be sent to the Unclaimed Goods or Lost Property Office and dealt with as laid down in Rule 21 below.

15. Unclaimed articles shall be liable to the wharfage and demurrage charges hereinbefore referred to, as well as to all freight and special expenditure incurred by the Railway administration on account of their custody and disposal.

16. After being on hand for one month unclaimed booked luggage and parcels may be transferred to the Lost Property Office and dealt with in the manner prescribed in Rules 15, 17, 18, 21 and 22.

17. Where articles such as arms, ammunition, explosives, intoxicating liquors, opium and its preparations, and hemp drugs, the sale of which by unlicensed persons is prohibited by law, are left unclaimed in the possession of the Railway administration, they will be made over to the Police or Excise authorities for disposal under the laws affecting the article. When not of a dangerous, perishable or offensive character, they will, however, be retained in the possession of the Railway administration for the same period as that prescribed for other unclaimed articles.

This rule in so far as it relates to explosives is supplemental to, and not in modification of, Rule 6 (IV) of the rules made under the Indian Explosives Act, 1884 (IV of 1884), and published under the Government of India, Home Department, Notification No. 5528, dated the 11th October 1901, in part I of the Gazette of India of the 12th October 1901 (*vide* Appendix B to part II of the General Rules for open lines of Railway in British India promulgated with the Government of India, Public Works Department, Circular No. 6 Railway, dated the 12th March 1895, as revised by the Government of India, Public Works Department, Circular No. 2 Railway, dated the 16th January 1902) and any modifications of the same which may hereafter be made.

18. Unclaimed perishable articles may be disposed of by the Station Master of the station at which they may be left after the expiry of 24 hours or earlier if they are, or are likely to become, offensive.

19. Lost property found in Railway vehicles or on Railway premises may, subject to the exception mentioned in Rule 18, be sent to the nearest Lost Property Office and be similarly dealt with.

20. An account of all unclaimed luggage, and of any lost property found on the line or on Railway premises, shall be kept by the Station Master.

21. Public sales by auction shall be held from time to time of all unclaimed or lost property which has remained in the possession of the Railway administration over six months. At least fifteen days' previous notice of each auction shall be given by advertisement in a newspaper.

22. Any surplus proceeds arising out of sales of lost property or unclaimed consignments will, after payment of all charges and expenses due to the Railway administration, be paid to the person or persons thereto entitled.

VI.—CLOAK-ROOMS.

23. Passengers may leave small parcels or packages in the cloak-rooms at such stations as may be specified from time to time by the Railway administration.

24. A charge of two annas per maund or part of a maund with a minimum charge per package as for one maund may be levied for each 24 hours or part of 24 hours during which the parcel or package remains in a cloak-room.

25. The responsibility of the Railway administration for articles left in a cloak room shall be that of a bailee under sections 151, 152 and 161 of the Indian Contract Act, 1872 (IX of 1872).

26. A receipt ticket shall be given to any person depositing parcels and packages for custody in a cloak-room; and delivery will be made to any person presenting such receipt ticket, after which all responsibility of the Railway administration in respect of such parcels or packages shall absolutely cease and determine.

27. Articles deposited in cloak-rooms which are unclaimed may, after a period of one month, be transferred to the Lost Property Office and dealt with as prescribed in Rules 15, 17, 18, 21 and 22 for unclaimed consignments.

No. 331.—With reference to Railway Board's Notification No. 67, dated the 13th June 1912, Mr. J. D'Cunha, Officiating Assistant Traffic Superintendent, North Western Railway, reverted to his substantive appointment of Traffic Inspector on that Railway with effect from the 1st November 1912.

No. 332.—Mr. F. W. Gwyther, Carriage Foreman, Eastern Bengal Railway, is appointed to officiate, as a temporary measure, as an Assistant Locomotive Superintendent on that Railway, with effect from the 11th August 1913.

The 13th November, 1913.

No. 333.—Mr. Henry Hume Saunders has been appointed by His Majesty's Secretary of State for India as an Assistant Locomotive Superintendent in class III, grade 3, of the Superior Revenue Establishment of State Railways and is posted to the North Western Railway.

No. 334.—The undermentioned gentlemen have been appointed by His Majesty's Secretary of State for India as Assistant Locomotive Superintendents in class III, grade 3, of the Superior Revenue Establishment of State Railways and are posted to the Eastern Bengal Railway:—

Mr. James Rodney Orme-Webb.

Mr. Charles Alfred Kemble Bradley.

T. RYAN,

Offg. Secretary, Railway Board.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 47.} SIMLA, SATURDAY, NOVEMBER 22, 1913.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Simla, the 21st November, 1913.

No. 59.—Whereas by Resolution passed by the Secretary of State for India in Council on the 26th day of February 1885 the provisions of section 1 of the Government of India Act, 1870 (33 Vict., c. 3), were declared applicable to Upper Burma;

And whereas the Lieutenant-Governor of Burma has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor General in Council has taken the draft and reasons into consideration, and has approved of the draft and the same has received the assent of the Governor General on the tenth day of November 1913;

In pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India* and will be published in the Burma Gazette.

REGULATION NO. IV OF 1913.

A Regulation to Repeal Regulation No. II of 1897 and to declare the law applicable to the Registration of Documents in Upper Burma.

WHEREAS it is expedient to apply to Upper Burma the law relating to the Registration of Documents as contained in the Indian Registration Act, 1908, and for such purpose to repeal the Upper Burma Registration Regulation, 1897, subject to certain provisos; It is hereby enacted as follows:—

Short title, extent and commencement.
 II of 1897. Repeal.
 Regulation, 1913;

1. (1) This Regulation may be called the Upper Burma Registration Amendment Regulation, 1913;

(2) It extends to the whole of Upper Burma; and

(3) It shall come into force on the 1st day of January, 1914.

2. The Upper Burma Registration Regulation, 1897, is hereby repealed:

Provided that documents executed before the 1st day of January, 1914, and registered on or after that date in accordance with the provisions of the said Regulation and the rules and notifications thereunder shall be deemed to have been registered under the said Regulation:

Provided further that no document, the registration of which was required by or under any law for the time being in force prior to the commencement of this Regulation, shall—

(a) affect any immoveable property comprised therein, or

(b) be received as evidence of any transaction affecting such property,

unless it has been so registered.

3. Documents registered in accordance with the provisions of any law or notification

Saving of documents registered before commencement of Act.
 XVI of 1908. shall not be "unregistered" within the meaning of section 50 of the Indian Registration Act, 1908.

No. 60.—The following Statutes are published for general information:

THE POST OFFICE ACT, 1913 (3 and 4 GEO. 5, CH. 11).

CHAPTER II.

AN ACT TO ENABLE NEWSPAPERS PUBLISHED IN BRITISH POSSESSIONS OR PROTECTORATES TO BE REGISTERED AND BE TREATED AS REGISTERED NEWSPAPERS UNDER THE POST OFFICE ACT, 1908.

[15th August 1913.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

I. The provisions of the Post Office Act, 1908, relating to the registration of newspapers and registered newspapers shall apply

Extension of provisions as to registration of newspapers to newspapers published in British possessions or protectorates.
 8 Edw. 7, c. 48. Islands, and accordingly paragraph (a) of sub-section (1) of section twenty of the Post Office Act, 1908 (which relates to the publications which may be registered as a newspaper), shall be read as if the words "or in some British possession or protectorate" were inserted after the words "in the British Islands":

Provided that the Postmaster General may refuse to register as a newspaper a publication printed and published in a British possession or protectorate, unless arrangements have been made to his satisfaction for maintaining a responsible representative of the publication in the United Kingdom.

For the purposes of this provision, the expression "British Protectorate" shall be deemed to include the Malay States and Cyprus.

2. This Act may be cited as the Post Office Act, 1913, and shall be read as one with the Post Office Act, 1908.

Short title.

THE FOREIGN JURISDICTION ACT, 1913 (3 and 4 GEO. 5, CH. 16).

CHAPTER 16.

AN ACT TO AMEND THE FOREIGN JURISDICTION ACT, 1890.

[15th August 1913.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Foreign Jurisdiction Act, 1890, shall have effect as if to the enactments mentioned in the First Schedule to that Act (being enactments which may be applied by Order in Council to foreign countries in which for the time being His Majesty has jurisdiction) there were added the enactments mentioned in the Schedule to this Act.

Power to extend additional enactments.

53 & 54 Vict.
c. 37.

2. This Act may be cited as the Foreign Jurisdiction Act, 1913, and the Foreign Jurisdiction Act, 1890, and this Act may be cited together as the Foreign Jurisdiction Acts, 1890 and 1913.

Short title.

SCHEDULE.

ENACTMENTS WHICH MAY BE EXTENDED.

Session and Chapter.	Title.	Enactments which may be extended by Order in Council.
32 & 33 Vict., c. 10...	The Colonial Prisoners Removal Act, 1869 ...	The whole Act.
55 & 56 Vict., c. 6 ...	The Colonial Probates Act, 1892 ...	The whole Act.
57 & 58 Vict., c. 30...	The Finance Act, 1894 ...	Section twenty.
63 & 64 Vict., c. 14...	The Colonial Solicitors Act, 1900 ...	The whole Act.
8 Edw. 7., c. 69. ...	The Companies (Consolidation) Act, 1908 ...	Sections thirty-four, thirty-five, and thirty-six.

THE APPELLATE JURISDICTION ACT, 1913 (3 and 4 GEO. 5, CH. 21).

CHAPTER 21.

AN ACT TO MAKE FURTHER PROVISION WITH RESPECT TO THE NUMBER AND DUTIES OF LORDS OF APPEAL IN ORDINARY, AND WITH RESPECT TO THE CONSTITUTION OF THE COURT OF APPEAL AND THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

[15th August 1913.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. His Majesty may appoint two Lords of Appeal in Ordinary under section six of the Appellate Jurisdiction Act, 1876, in addition to the four Lords of Appeal in Ordinary whom he may appoint under sections six and fourteen of that Act and the law relating to the

Additional Lords of Appeal.

39 & 40 Vict.
c. 59.

appointment and qualifications of Lords of Appeal under the said section six, and to their duties and tenure of office, their rank, salary, and pension, and otherwise, shall apply to any Lord of Appeal appointed under this section : Provided that the sum paid in salaries in any one year to the Lords of Appeal in Ordinary appointed under this Act shall in no case exceed twelve thousand pounds.

2. Every Lord of Appeal in Ordinary, whether appointed before or after the passing of this Act, who at the date of his appointment would have been qualified to be appointed an ordinary judge of the Court of Appeal, or who at that date was a judge of that Court shall be an ex-officio judge of that Court, but no such Lord of Appeal shall be required to sit and act as a judge of the Court of Appeal unless upon the request of the Lord Chancellor he consents so to do, and whilst so sitting and acting he shall rank therein according to his precedence as a peer.

3.—(1) The maximum number of persons (being, or having been, judges in certain Provisions as to colonial judges becoming mem- parts of His Majesty's dominions) who may become members of the Judicial Committee of the Privy Council by reason of the Judicial Committee Amendment Act, 1895, as amended by any subsequent enactment shall be increased from five to seven, and accordingly seven shall be substituted for five in sub-section (2) of section one of that Act.

(2) Section one of the said Act shall have effect as if the persons named therein included any person being or having been Chief Justice or a Judge of the Supreme Court of South Africa.

(3) His Majesty may, by Order in Council, regulate the order in which the persons qualified to become members of the Judicial Committee under the said Act as so amended, are to become members thereof, so as to secure, as far as possible, an equal distribution of such members amongst the various parts of His Majesty's dominions to which the Act so amended relates.

(4) The enactments mentioned in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule, and in the schedule to the Appellate Jurisdiction Act, 1908, for the words "Cape of Good Hope, Natal, Transvaal, Orange River Colony" there shall be substituted the words "the Union of South Africa."

Short title.

4. This Act may be cited as the Appellate Jurisdiction Act, 1913.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
58 and 59 Vict., c. 44.	The Judicial Committee Amendment Act, 1895.	In section one, the words "or either of the South African Colonies mentioned in the said schedule." In the schedule, the words "South African Colonies, Cape of Good Hope, Natal."
8 Edw. 7., c. 51 ...	The Appellate Jurisdiction Act, 1908.	Sub-section (2) of section three.

W. H. VINCENT,

Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Simla, the 17th November, 1913.

No. 2553.—With reference to the Home Department notification no. 1939, dated the 18th September 1913, it is hereby notified that the Hon'ble Sir James Meston, K.C.S.I., returned from deputation and resumed charge of the Office of Lieutenant-Governor of the United Provinces of Agra and Oudh on the afternoon of the 15th November 1913.

POLICE.

The 18th November, 1913.

No. 1334.—The services of Captain E. M. Hobday, 41st Dogras, are placed at the disposal of the Government of Burma for employment in the Burma Military Police, with effect from the date on which he assumes charge of his duties.

H. WHEELER,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 17th November, 1913.

No. 2110-G.—With the sanction of His Majesty's Government, the Governor General in Council is pleased to recognise provisionally the appointment of Egon, Graf von Thurn and Valsassina as Consul General for Austria-Hungary at Calcutta.

The 18th November, 1913.

No. 2894-Est. B.—The leave granted to Captain A. B. Skinner, 5th Cavalry, Adjutant of the Imperial Cadet Corps, in the notification by the Government of India in the Foreign Department, No. 523-Est. B., dated the 6th March 1913, is extended to the 2nd October, 1913.

No. 3631-I. B.—In exercise of the powers conferred by sections 26 and 35 of the Court Fees Act, 1870 (VII of 1870), as extended to British Baluchistan, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to issue the following directions:—

- I. When in any case the fee chargeable under the said Act is less than Rs. 10, such fee shall be denoted by adhesive stamps only. Such adhesive stamps shall be of the size and pattern introduced in 1883, bearing the words "Court-fee" and containing three lines in the middle, with the Sovereign's head and the value printed on the left side, at present in use, or adhesive stamps of any different shape, size or pattern, bearing the words "Court-fees", which may hereafter be issued for use, in supersession of, or in addition to, the adhesive stamps now in use.
- II. When in any case the fee chargeable under the said Act amounts to or exceeds Rs. 10 such fee shall be denoted by impressed stamps bearing the words "Court-fees", adhesive stamps being only employed to make up fractions of less than Rs. 10.
- III. If in any case the amount of the fee chargeable under the said Act involves a fraction of an anna, such fraction shall be remitted.

No 3632-I. B.—In exercise of the powers conferred by section 25 of the Court-fees Act, 1879 (VII of 1870), as extended to British Baluchistan, the Governor General in Council is pleased to direct that the additional Court-fee payable under section 19-E of the said Act on Probates and Letters of Administration shall be denoted either—

- (a) by impressed and adhesive stamps in the manner prescribed in notification No. 3631-I. B., dated the 18th November 1913; or
- (b) wholly by adhesive stamps of the kind described in clause 1 of notification No. 3631-I. B., dated the 18th November 1913.

No. 3633-I. B.—Under section 35 of the Court-fees Act, 1870 (VII of 1870), as extended to British Baluchistan, it is hereby notified that, in exercise of the power to reduce or remit all or any of the fees mentioned in the First and Second Schedules to the said Act, the Governor General in Council has been pleased to make the reductions and remissions hereinafter set forth, namely:—

(1) to remit the fees chargeable on applications presented to a Collector for refund of the amount paid to the Government for stamped paper which has become spoiled or unfit for use, or is no longer required for use, and on applications for renewal of stamped paper which has become spoiled or unfit for use;

(2) to remit the fees chargeable on applications in writing relating exclusively to the purchase of salt which is the property of the Government;

(3) to direct that, when a plaint disclosing a reasonable case on the merits is presented to any Civil or Revenue Court in such a form that the presiding Judge or officer, without summoning the defendant, rejects it not for any substantial defect but on account of an entirely technical error in form only and so as to leave the plaintiff free to prosecute precisely the same case in another form against the same defendant or defendants, the value of the stamp on the plaint shall be refunded on presentation of an application to the Collector of the District in which the Court is situated, together with a certificate from the Judge or officer who rejected the plaint that it was rejected under the circumstances above described, and that the value of the stamp should, in his opinion, be refunded;

(4) to remit the fees chargeable on—

- (a) copies of village settlement-records furnished to landholders and cultivators during the currency or at the termination of settlement operations;
- (b) lists of fields extracted from village settlement records for the purpose of being filed with petitions of plaint in Settlement Courts;

Provided that nothing in this clause shall apply to copies of judicial proceedings, or to copies of village settlement-records (other than lists of fields extracted as aforesaid) which may be filed in any Court or office;

(5) to direct that the fee chargeable on appeals from orders under section 47 of the Code of Civil Procedure, 1908, (V of 1908), shall be limited to the amounts chargeable under article 11 of the Second Schedule;

(6) to remit the fees chargeable on security bonds for the keeping of the peace by, or good behaviour of, persons other than the executors;

(7) to remit the fee payable under article 1, clause (c), of the Second Schedule on an application or petition presented to a Chief Commissioner, when the application or petition is accompanied by a petition to the Government of India and contains merely a request that that petition may be forwarded to the Government of India;

(8) to remit the fees chargeable under articles 6, 7 and 9 of the First Schedule on copies furnished by Civil or Criminal Courts or Revenue Courts or offices for the private use of persons applying for them;

Provided that nothing in this clause shall apply to copies when filed, exhibited or recorded in any Court of Justice or received by any public officer;

(9) to remit the fees chargeable, under paragraph 4 of clause (a) and paragraph 2 of clause (b) of article 1 of the Second Schedule, on applications for orders for the payment of deposits in cases in which the deposit does not exceed Rs. 25 in amount;

Provided that the application is made within three months of the date on which the deposit first became payable to the party making the application;

(10) to remit with reference to clause XI of section 19 of the Act the fees chargeable on applications for leave to occupy under direct engagement with the Government land of which revenue is settled, but not permanently, when made by persons who do not at the time of application hold the land;

(11) to remit the fees chargeable on applications for loans under the Land Improvement Loans Act, XIX of 1883, or the Agriculturists Loans Act, XII of 1884 ;

(12) to remit the fees chargeable on an application made by a person to the Collector under the second paragraph of section 42 of the Indian Stamp Act, II of 1899, for the return to that person, or to the registration officer who impounded it, of a document impounded and sent to the Collector by a registration officer ;

(13) to remit the fee chargeable on an application made for transfer of a stock-note from one circle to another under paragraph 6 of Resolution by the Government of India in the Finance Department No. 2566, dated the 20th August, 1835 ;

(14) to remit the fees chargeable on the following documents, namely :—

(a) a copy of a charge framed under section 210 of the Code of Criminal Procedure, 1898, or of a translation thereof, when the copy is given to an accused person ;

(b) copy of the evidence of supplementary witnesses after commitment, when the copy is given under section 219 of the said Code to an accused person ;

(c) copy or translation of a judgment in a case other than a summons case and copy of the heads of the Judge's charge to the jury, when the copy or translation is given under section 371 of the said Code to an accused person ;

(d) copy or translation of a judgment in a summons case, when the accused person to whom the copy or translation is given under section 371 of the said Code is in jail ;

(e) copy of an order of maintenance, when the copy is given under section 490 of the said Code to the person in whose favour the order is made, or to his guardian, if any, or to the person to whom the allowance is to be paid ;

(f) copy furnished to any person affected by a judgment or order passed by a Criminal Court of the Judge's charge to the jury, or of any order, deposition or other part of the record when the copy is not a copy which may be granted under any of the preceding sub-clauses without the payment of a fee, but is a copy which on its being applied for under section 548 of the said Code, the Judge or Magistrate, for some special reason to be recorded by him on the copy, thinks fit to furnish without such payment ;

(g) copies of all documents furnished under the orders of any Court or Magistrate to any Government Advocate or pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of the Government before any Criminal Court ;

(h) copies of all documents which any such Advocate, Pleader or other person is required to take in connection with any such trial or investigation, for the use of any Court or Magistrate, or may consider necessary for the purpose of advising the Government in connection with any criminal proceedings ;

(i) copies of judgments or depositions required by officers of the Police Department in the course of their duties ;

(15) to remit the fee chargeable on an application presented by any person for the return of a document filed by him in any Court or public office ;

(16) to direct that, when a part of an estate paying annual revenue to the Government under a settlement which is not permanent is recorded in the collector's register as separately assessed with such revenue, the value of the subject matter of a suit for the possession of, or to enforce a right of pre-emption in respect of a fractional share of that part shall, for the purposes of the computation of the amount of the fee chargeable in the suit, be deemed not to exceed ten times such portion of the revenue separately assessed on that part as may be rateably payable in respect of the share ;

(17) to remit the fee chargeable on an application for the grant of a license for the vend of stamps ;

(18) to direct that no Court-fee shall be charged on an application for the repayment of a fine or any portion of a fine the refund of which has been ordered by competent authority ;

(19) to remit the court-fees chargeable on applications for copies of documents detailed in clauses 4 and 14 *supra* ;

(20) to remit the fees chargeable on applications presented to officers of land-revenue for the suspension or remission of revenue on the ground that a crop has not been sown or has failed ;

(21) to remit the fees chargeable on all applications and petitions presented to a Collector or any Revenue Officer having jurisdiction equal or subordinate to a Collector for advice or assistance from the Agricultural Department of the Province ;

(22) (a) to remit all fees payable under Schedule (II) to the said Act upon applications relating to licenses or duplicates granted or renewed under the British Baluchistan Arms Rules, 1913, other than licenses or duplicates of the nature hereinafter referred to in sub-head (b) ; and

(b) to reduce to one anna all fees, exceeding one anna, payable under the said Schedule upon applications relating to licenses or duplicates granted or renewed under the said Rules, in respect of which :—

(i) no fee is payable under the said Rules, or

(ii) the fee payable under the said Rules has been collected in full.

The 19th November, 1913.

No. 2133-G.—With reference to Notification, No. 940-G., dated the 13th May, 1913, Mr. Lucas Volkart, Consul for Sweden at Bombay, resumed charge of his office on the 31st October, 1913.

No. 3656-I. B.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to amend the Regulation for the better administration of the Hyderabad Residency Bazars, 1895, as follows :—

After section 87, the following shall be inserted, namely :—

“ 87-A. Whoever keeping for profit milch cattle or milch goats, or pigs or any other animal which may be used for human consumption, allows the same

(a) to be fed upon refuse or any filthy or deleterious substance ; or

(b) to graze in any place in which grazing has for sanitary reasons been prohibited by public notice issued by the Superintendent,

shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.”

The 20th November, 1913.

No. 2139-G.—With reference to Notification, No. 529-G., dated the 19th March, 1913, Cavaliere Dr. G. Gorio, Consul for Italy at Bombay, resumed charge of his office on the 7th November, 1913.

No. 2941-Est.-A.—Captain J. S. Crosthwaite, of the Political Department, is posted as additional Assistant to the Political Resident in the Persian Gulf for special duty in Khuzistan, with effect from the 9th November, 1913.

No. 2909-Est. A.—Lieutenant-Colonel V. G. Drake-Brockman, Indian Medical Service (Bengal), an Agency Surgeon of the 2nd Class, is posted as Agency Surgeon, Bundelkhand, with effect from the 6th November, 1913.

No. 2912-Est. A.—Mr. C. Latimer, of the Political Department, is posted on return from leave, as Assistant Secretary to the Chief Commissioner, North-West Frontier Province, with effect from the 3rd November, 1913.

No. 2919-Est. A.—Lieutenant-Colonel A. D'A. G. Bannerman, C.V.O., C.I.E., of the Political Department, is posted as Political Agent in the Eastern States of Rajputana, with effect from the 3rd November, 1913.

No. 2922-Est. A.—Mr. S. S. Waterfield, of the Political Department, on return from leave, is posted as Political Officer, Bundi, with effect from the 2nd November, 1913.

No. 2923-Est. A.—Captain H. R. N. Pritchard, of the Political Department, is posted as Second Assistant to the Agent to the Governor General in Rajputana, with effect from the 5th November, 1913.

No. 2926-*Est.-A.*—Lieutenant-Colonel R. B. Berkeley, of the Political Department, is placed on special duty as Additional Commissioner of Ajmer-Merwara, with effect from the 1st November, 1913.

No. 2933-*Est.-A.*—Mr. D. deS. Bray, of the Political Department, on return from leave, is posted as First Assistant to the Agent to the Governor General and Chief Commissioner in Baluchistan, with effect from the 8th November, 1913.

The 21st November, 1913.

No. 2152-*G.*—In continuation of the Notification issued by the Government of India in the Foreign Department, No. 1664-P., dated the 13th July, 1877, the following Order of His Majesty in Council, which was published in the *London Gazette* of the 17th October, 1913, is republished for general information :—

At the Court at *Buckingham Palace*, the 14th day of *October*, 1913.

PRESENT.

The KING's Most Excellent Majesty.

Lord President.
Viscount Knollys.
Viscount Allendale.
Lord Chamberlain.
Sir Arthur Hardinge.

WHEREAS it is provided by the Slave Trade Act, 1876, that any person, being a subject of His Majesty, or of any Prince or State in India in alliance with His Majesty, who commits upon the High Seas or in any part of Asia or Africa which may be specified in that behalf by an Order of His Majesty in Council, any of the offences defined in sections 367, 370 and 371 of the Indian Penal Code or abets within the meaning of Chapter V of the said Code the commission of any such offence, shall be dealt with in respect of such offence or abetment as if the same had been committed in any place within British India in which he may be or may be found :

And whereas by an Order in Council of Her late Majesty Queen Victoria, dated the 30th day of April, 1877, it was provided that the said Act should apply to the several parts of Asia and Africa therein specified :

And whereas it is desirable to apply the said Act to certain territories in the neighbourhood of Aden to which the said Act has not been applied hitherto :

Now, therefore, in pursuance, and by virtue of the said Act, His Majesty is pleased, by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Slave Trade Offences (India) Order in Council 1913.

2. The Slave Trade Act, 1876, shall apply to the territories of the Kaiti, Wahidi, Behan, Audali and Beda tribes near Aden, and to the territories of the Mahri tribe of Kishin and Socotra.

And the Right Honourable Sir Edward Grey, Baronet, K.G., and the Most Honourable the Marquess of Crewe, K.G., two of His Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

Almeric FilzRoy.

No. 2153-*G.*—In continuation of the Notification issued by the Government of India in the Foreign Department, No. 884-E, dated the 29th April, 1890, the following Order of His Majesty in Council, which was published in the *London Gazette* of the 17th October, 1913, is republished for general information :—

At the Court at *Buckingham Palace*, the 14th day of *October*, 1913.

PRESENT.

The KING's Most Excellent Majesty

Lord President.
Viscount Knollys.
Viscount Allendale.
Lord Chamberlain.
Sir Arthur Hardinge.

WHEREAS by treaty, grant, usage, sufferance, and other lawful means, His Majesty the King has power and jurisdiction in Persia.

Now, therefore, His Majesty, by virtue and in exercise of the powers by The Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows :—

1. This Order may be cited as "The Persia Order in Council, 1913," and shall be read as one with the Persia Order in Council, 1889 (hereinafter called the Principal Order), and this Order, the Principal Order, the Persia (Judicial Fees) Order in Council, 1898, and the Persia (Regulations) Order in Council, 1901, may be cited together as the Persia Orders in Council, 1889 to 1913.

2. From and after the date of this Order the definition of British subject in the Principal Order is hereby repealed, and the following definition is substituted therefor :—
"British subject" includes a British protected person.

And the Right Honourable Sir Edward Grey, Baronet, K.G., one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

Almeric FitzRoy.

No. 2154-G.—With the sanction of His Majesty's Government, the Governor-General in Council is pleased to recognise provisionally the appointment of Herr W. R. Czerwenka as Consul for Austria Hungary at Bombay.

J. B. WOOD,

Offg. Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATIONS.

LEAVE AND APPOINTMENTS.

Simla, the 20th November, 1913.

No. 1482-F. E.—Mr. C. W. C. Carson has been appointed to officiate as Deputy Comptroller General, with effect from the 8th November 1913.

No. 1485-F. E.—In consequence of the reversion of Mr. G. W. C. Bradey from special duty, the following reversions in the classes of Superintendents in the Government of India, Finance Department, are notified, with effect from the 17th November 1913 :—

Mr. C. N. Chakrabarti to class III.

Mr. W. Gawke to his substantive appointment.

No. 1487-F. E.—Captain H. J. K. Wallis, I.A., has been appointed to officiate as Deputy Assay Master, Calcutta, with effect from the 12th November 1913 and until further orders.

No. 1585-A.—The following officers have been appointed to the Military Accounts Department by the Most Hon'ble the Secretary of State for India as Military Accountants, 2nd class, on probation, with effect from the 31st October 1913 :—

Mr. Joshua Parby.

Mr. Bertram Gerhardt Temple Sanders.

J. B. BRUNYATE,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 21st November, 1913.

No. 51.—Mr. Charles John Homer, Sub-Engineer, 2nd grade, Burma, is appointed to the Provincial Service of the Engineer Branch of the Public Works Department as an Assistant Engineer and is posted to Burma.

R. P. RUSSELL,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

GENERAL.

Simla, the 18th November, 1913.

No. 2985.—Mr W. A. Threlfall, Superintendent, 1st grade, Department of Revenue and Agriculture, is granted privilege leave for 3 months under Articles 246 and 260 of the Civil Service Regulations, with effect from the 29th November 1913 or the subsequent date on which he may avail himself of it.

The following officiating promotions are made during the absence on privilege leave of Mr. W. A. Threlfall or until further orders :—

- (1) Mr. C. H. Martin, Superintendent, 2nd grade, to officiate as Superintendent, 1st grade.
- (2) Mr. L. E. Kershaw, Superintendent, 3rd grade, to officiate as Superintendent, 2nd grade.
- (3) Mr. H. H. Lincoln, Secretariat Assistant, 1st grade, to officiate as Superintendent, 3rd grade.

No. 2991.—Mr. T. McDonnell, Superintendent, 3rd grade, Department of Revenue and Agriculture, is granted privilege leave for 16 days under Articles 246 and 260 of the Civil Service Regulations, with effect from the 8th December 1913 or the subsequent date on which he may avail himself of it.

Babu Rajendra Nath Mukharji, Secretariat Assistant, 1st grade, Department of Revenue and Agriculture, is appointed to officiate as a Superintendent, 3rd grade, during the absence on leave of Mr. T. McDonnell or until further orders.

LAND SURVEYS.

The 19th November, 1913.

No. 1784-6-16.—Lieutenant F. P. Nosworthy, R.E., is appointed on probation as Assistant Superintendent, Survey of India, with effect from the 1st November 1913.

FORESTS.

The 18th November, 1913.

No. 1076—F.-259-4.—With reference to Revenue and Agriculture Department Notification No. 826—F.-259-2, dated 26th August 1913, the services of Mr. A. N. Grieve, Assistant Conservator of Forests, are replaced at the disposal of the Government of Bihar and Orissa, with effect from the 7th November 1913.

The 20th November, 1913.

No. 1089—F.-115-9.—On return from combined leave Mr. A. V. Monro, Conservator, 2nd grade, assumed charge of the office of Conservator of Forests, Western Circle, Assam, with effect from the forenoon of 18th November 1913, the date on which he relieved Mr. W. F. Perrée, Officiating Conservator of Forests, 3rd grade, Eastern Circle, Assam, of the additional charge of the Western Circle.

From the same date Mr. H. H. Forteach, Conservator of Forests, 3rd grade, sub. *pro tem*, officiating in the 2nd grade (on privilege leave), ceases to officiate in the latter grade.

E. D. MACLAGAN,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

POST OFFICE ESTABLISHMENT.

Simla, the 22nd November, 1913.

No. 9819-115.—The following promotions in the grades of Postmasters-General are made with effect from the 17th August 1913 :—

Mr. C. H. Harrison, I.C.S., Postmaster-General, officiating in the special 1st grade, pay Rs. 2,250—50—2,500, to be confirmed in that grade;

Mr. H. N. Hutchinson, I.C.S., Postmaster-General, officiating in the 1st grade, to be confirmed in that grade;

Mr. P. G. Rogers I.C.S., Postmaster-General, 2nd grade, provisional, to be confirmed in that grade.

SALT.

The 22nd November, 1913.

No. 9922-16.—The services of Mr. J. F. Connolly, I.C.S., are replaced at the disposal of the Government of the Punjab, with effect from the 15th November 1913.

TELEGRAPHS.

The 22nd November, 1913.

No. 9987-172.—In exercise of the powers conferred by Section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the following amendment shall be made in the rules published with the Notification of the Government of India in the Department of Commerce and Industry No. 6975-137 (Telegraphs), dated the 16th of September 1909, as subsequently amended, namely :—

In Rule 134 for the words " Press telegrams may be accepted without prepayment from correspondents " substitute " Press telegrams may be accepted without prepayment."

R. E. ENTHOVEN,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

ECCLESIASTICAL.

Simla, the 13th November, 1913.

No. 613.—The services of the Reverend R. E. Lee, Chaplain on probation of the Church of Scotland, Bombay, are placed at the disposal of the Army Department.

The 19th November, 1913.

No. 630.—The services of the Reverend H. G. England, Chaplain of Rawalpindi, are placed at the disposal of the Chief Commissioner of Delhi for employment as second Chaplain at Delhi, with effect from the 20th October 1913, or the subsequent date on which he assumes charge of his appointment.

GENERAL.

The 20th November, 1913.

No 1567.—In supersession of this Department's notification [no. 474, dated the 16th May 1913, it is hereby notified that Mr. A. F. Scholfield, Assistant to the Officer in charge of the Records of the Government of India, was appointed to officiate as Librarian, Imperial Library, in addition to his own duties, during the absence of Mr. J. A. Chapman on leave, with effect from the forenoon of the 5th May 1913 to the 2nd November 1913.

SANITARY.

The 19th November, 1913.

No. 1769.—The services of Major A. Gyther, I.M.S., Civil Surgeon, Rajshahi, are placed temporarily at the disposal of the Director General, Indian Medical Service, with effect from the 30th October 1913, or any subsequent date on which he may be relieved of his duties.

The Department of Education notification no. 1663-Sanitary, dated the 22nd October 1913, is hereby cancelled.

L. C. PORTER,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 21st November 1913.

APPOINTMENTS.

PERSONAL STAFF.

No. 945.—The Viceroy and Governor-General has been pleased to make the following appointment on His Excellency's Personal Staff:—

To be Honorary Surgeon.

Colonel F. H. Treherne, F.R.C.S., Edin., Army Medical Service, *vice* Lieutenant-Colonel H. N. Thompson, M.B., D.S.O., R.A.M.C., reverted to the Home Establishment. Dated 5th November 1913.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 946.—The services of Captain R. F. S. Beyts, Indian Army, are placed at the disposal of the Hon'ble the Resident at Hyderabad for employment as a Cantonment Magistrate, with effect from the date on which he is relieved of the office of Cantonment Magistrate, Jhansi.

No. 947.—The following changes in officiating appointments in the Cantonment Magistrates' Department are notified:—

Rank and Name.	From	To	With effect from	Remarks.
Major W. C. S. Prince	3rd Grade	Officiating 2nd Grade	17th October 1913.	<i>Vice</i> Lieutenant-Colonel N. T. Parker, granted privilege leave.
Lieutenant-Colonel N. T. Parker.	} Officiating Grade.	2nd 3rd Grade	3rd November 1913.	Consequent on the return from leave of Lieutenant-Colonel R. R. Vaughan.
Major W. C. S. Prince				

INDIAN ARMY.

No. 948.—The following admission to the Indian Army is made, subject to confirmation by the Most Hon'ble the Secretary of State for India :—

To be Captain.

Captain Olmar Charles John Stevenson-Hamilton, The Highland Light Infantry. Dated 7th November 1913, but to rank from the 24th July 1910. Captain Stevenson-Hamilton's rank as Lieutenant is ante-dated to the 24th October 1903.

PROMOTIONS.

INDIAN ARMY.

No. 949.—The following promotions are made, subject to His Majesty's approval :—

Majors to be Lieutenant-Colonels.

Alfred Godfrey deVaud Chichester, 28th Punjabis	}	
Archibald Fawcett Thomason, Supply and Transport Corps		
Francis Pearson Shaw Dunsford, 2nd Queen Victoria's Own Rajput Light Infantry		
William Gibbon Nisbett, 92nd Punjabis		
William Richard Stone, Supernumerary List		
William Walter Gilbert Griffith, 32nd Lancers		
Edward Herbert Boome, 112th Infantry		
Charles Eustace Bowen, Supernumerary List		
Frank Cooke Webb Ware, C.I.E., Supernumerary List		
Charles Edward DeLisle Solbé, 53rd Sikhs (Frontier Force)		
Francis Goodwin Hill Sutton, 10th Gurkha Rifles		
John Latham Rose, 1st King George's Own Gurkha Rifles (The Malaun Regiment)		
Charles McLeod Porteous, 9th Gurkha Rifles		
Richard Carmichael Bell, 38th King George's Own Central India Horse		
Charles Græme Robson, 10th Jats		
Brevet Lieutenant-Colonel James Alban Wilson, D.S.O., 8th Gurkha Rifles		
Harington Owen Parr, 7th Duke of Connaught's Own Rajputs		
William Charles Stuart Prince, Supernumerary List		
Francis Augustus Jacques, 14th King George's Own Ferozepore Sikhs		
Algernon Edward Webb, Supply and Transport Corps		
Pomeroy Holland-Pryor, M.V.O., 1st Duke of York's Own Lancers (Skinner's Horse)		

,—16th November 1913.

INDIAN MEDICAL SERVICE.

No. 950.—With reference to the notifications quoted in the margin, the promotion to the present rank of Major de Vere Condon, M.D., published in Army Department Notification No. 118, dated the 11th February 1910, is ante-dated from the 28th January 1910 to the 28th July 1909.

Army Department Notification No. 282, dated the 7th April 1911.
Army Department Notification No. 822, dated the 29th September 1911.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

SUB-ASSISTANT SURGEON BRANCH.

Bengal Establishment.

No. 951.—The undermentioned 2nd Class Sub-Assistant Surgeons, having completed five years' service in that class, and passed the required departmental examination, to be 1st Class Sub-Assistant Surgeons; with effect from the dates specified :—

No. 1110, Hakim Singh (E),—19th October 1913.

No. 1050, Hidayatullah (E),—21st October 1913.

(E) Passed in English.

BARRACK DEPARTMENT, PUNJAB-BENGAL.

No. 952.—Sub-Conductor Henry Douglas Cant, Assistant Barrack Master, Military Works Services, to be Conductor and

Staff-Sergeant Ernest Montrose, Barrack Sergeant, Military Works Services, to be Sub-Conductor,

to complete the establishment ; with effect from the 23rd June 1913.

No. 953.—Assistant Commissary and Honorary Lieutenant William Harvey, Barrack Master, Military Works Services, to be Deputy Commissary and to have the honorary rank of Captain, subject to His Majesty's approval,

Conductor Alexander Chisholm, Barrack Master, Military Works Services, to be Assistant Commissary and to have the honorary rank of Lieutenant, subject to His Majesty's approval,

Sub-Conductor Thomas William Parr, Assistant Barrack Master, Military Works Services, to be Conductor and

Staff-Sergeant Samuel Tytler, Barrack Sergeant, Military Works Services, to be Sub-Conductor,

vice Deputy Commissary and Honorary Captain Thomas Hennessy, Barrack Master, retired ; with effect from the 24th October 1913.

NATIVE ARMY.

APPOINTMENTS AND PROMOTIONS.

No. 954.—Subject to His Majesty's approval, the honorary rank of Captain is conferred, on retirement, on Subadar Major Alexander, *Sardar Bahadur*, 2nd Queen Victoria's Own Sappers and Miners ; with effect from the 9th October 1913.

No. 955.—The following direct appointment is made :—

36th Jacob's Horse.

Malik Khan Muhammad Khan to be Jemadar on probation, *vice* Bhawan Shah, resigned ; with effect from the 24th March 1913.

No. 956.—The following promotions are made :—

7th Haryana Lancers.

Dafadar Panjab Singh, 11th King Edward's Own Lancers (Probyn's Horse), to be Jemadar, *vice* Bachittar Singh, resigned ; with effect from the date of joining the 7th Haryana Lancers for duty.

and Queen Victoria's Own Sappers and Miners.

Havildar Anthony to be Jemadar, *vice* Jemadar Ranganayakulu, transferred to the 88th Carnatic Infantry ; with effect from the 1st November 1913.

94th Russell's Infantry.

Havildar-Major Bihari Lal to be Jemadar, *vice* Murli Singh, transferred to the pension establishment ; with effect from the 16th August 1913.

105th Mahratta Light Infantry.

Jemadar Chimaji Garud to be Subadar, and Colour-Havildar Bala Bhor to be Jemadar, *vice* Sakaram Shinde, transferred to the pension establishment ; with effect from the 16th July 1913.

119th Infantry (The Mooltan Regiment.)

Havildar Mhada Rawat to be Jemadar, *vice* Dunga Rawat, transferred to the pension establishment ; with effect from the 14th October 1913.

REWARDS.

GOOD SERVICE PENSIONS.

No. 957.—The following is substituted for that portion of Army Department Notification No. 766, dated the 12th September 1913, relating to Surgeon-Generals W. McConaghy and Sir G. Bomford :—

I.—IN THE ROOM OF COLONEL J. T. B. BOOKEY, C.B., I.M.S., RETIRED :—

Surgeon-General W. McConaghy, M.D., (deceased), from the 16th June 1905 to the 19th June 1905.

Surgeon-General Sir G. Bomford, K.C.I.E., M.D., from the 20th June 1905 to the 31st December 1909, and not as stated in Army Department Notification No. 705, dated the 9th August 1907.

INDIAN DISTINGUISHED SERVICE MEDAL.

No. 958.—His Excellency the Viceroy and Governor-General is pleased to sanction the award of the Indian Distinguished Service Medal to the undermentioned non-commissioned officer of Queen Victoria's Own Corps of Guides (Frontier Force) (Lumsden's):—

No. 4363, Havildar Ghafur Shah.

PENSIONS.

WARRANT OFFICERS.

No. 959.—The undermentioned warrant officer of the Ordnance Department, Northern Army, has been transferred to the pension establishment, with effect from the 7th May 1913:—

Sub-Conductor Harry Wigmore.

RETIREMENTS.

INDIAN ARMY.

No. 960.—Lieutenant-Colonel Charles Edward DeLisle Solbé, 53rd Sikhs (Frontier Force), has been permitted by the Most Hon'ble the Secretary of State for India to retire from the service, subject to His Majesty's approval; with effect from the 17th November 1913.

No. 961.—Captain John Henry Woodside Morgan, Supply and Transport Corps, has been transferred by the Most Hon'ble the Secretary of State for India to the Temporary Half-Pay List, subject to His Majesty's approval; with effect from the 19th November 1913.

INDIAN MEDICAL SERVICE.

No. 962.—Captain Robert Long Gamlen, M.D., has been transferred by the Most Hon'ble the Secretary of State for India to the Temporary Half-Pay List, subject to His Majesty's approval; with effect from the 24th November 1913.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Bihar Light Horse.

No. 963.—Second Lieutenant Percival Hennessy resigns his commission. Dated the 23rd October 1913.

Surma Valley Light Horse.

No. 964.—Surgeon-Lieutenant Reginald Anthony Murphy, L.R.C.S., L.R.C.P.I., L.M., resigns his commission. Dated the 8th September 1913.

Bombay Volunteer Artillery.

(Artillery Companies.)

No. 965.—Lieutenant Frederick Burton Pendarves Lory resigns his commission. Dated the 5th October 1913.

Calcutta Port Defence Volunteer Corps.

(Artillery Companies.)

No. 966.—Charles Roland Lyddon to be Second Lieutenant, to fill an existing vacancy. Dated the 4th October 1913.

Rangoon Port Defence Volunteers.

(Electrical Engineer Company.)

No. 967.—Robert Hamilton Trench to be Second Lieutenant, to fill an existing vacancy. Dated the 21st October 1913.

Nilgiri Volunteer Rifles.

No. 968.—Ernest Arthur Midgley to be Second Lieutenant, to fill an existing vacancy. Dated the 1st December 1912.

Malabar Volunteer Rifles.

No. 969.—Captain Allen Herbert Storer Campbell resigns his commission. Dated the 15th September 1913.

Poona Volunteer Rifles.

No. 970.—Captain Percival Wren to be Major, *vice* D. D. Khambatta, v.D., *Khan Bahadur*, resigned. Dated the 1st August 1913.

Second Lieutenant Charles James John Fox to be Lieutenant, to fill an existing vacancy. Dated the 6th October 1913.

Second Lieutenant William Burns to be Lieutenant, to fill an existing vacancy. Dated the 6th October 1913.

and (Presidency) Battalion, Calcutta Volunteer Rifles.

No. 971.—Major George Lane Anderson resigns his commission. Dated the 1st October 1913.

MEDALS AND DECORATIONS.

No. 972.—His Excellency the Governor-General of India is pleased to confer the Volunteer Officers' Decoration upon the undermentioned officer:—

Cossipore Artillery Volunteers.

Major David Mudie.

W. R. BIRDWOOD, *Major-General*,

Secretary to the Government of India.

ARMY DEPARTMENT.

NOTIFICATION.

Simla, the 21st November 1913.

Under Clause 53 of the Regulations appended to the Regimental Debts Act, 1893, it is notified that a report of the death of the undermentioned Warrant Officer on the date specified, was received in the Army Department between the 12th and 18th November 1913:—

Corps.	Rank and name.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Indian Subordinate Medical Department.	Assistant Surgeon Walter St. John Quanbrough.	9th November 1913.	Karachi.	—	—

W. R. BIRDWOOD, *Major-General*,

Secretary to the Government of India.

MARINE DEPARTMENT.

Simla, the 21st November 1913.

APPOINTMENTS.

No. 88.—The following appointment has been made in the Royal Indian Marine by the Most Hon'ble the Secretary of State for India, with effect from the 18th January 1913:—

To be Sub-Lieutenant.

Arthur Edward Gooding.

LEAVE.

No. 89.—The sixty days' privilege leave with effect from 10th September 1913, granted to Sub-Lieutenant R. L. Hayward, Royal Indian Marine, by the Director, Royal Indian Marine, is converted into three months' leave, in India, on private affairs.

W. R. BIRDWOOD, *Major-General,*
Secretary to the Government of India.

RAILWAY DEPARTMENT.
(RAILWAY BOARD.)

NOTIFICATIONS.

Simla, the 18th November, 1913.

No. 335.—In exercise of the powers conferred by Section 2 of the Indian Tramways Act, 1902 (IV of 1902), the Governor General in Council is pleased to direct that the provisions of the Indian Railway Companies Act, 1895 (X of 1895), in so far as the same are applicable, shall apply to the Buthidaung-Maungdaw Tramway Company, which has been formed for the construction of a tramway from Buthidaung to Maungdaw under the provisions of the Indian Tramways Act, 1886 (XI of 1886).

The 19th November, 1913.

No. 336.—Mr. R. C. F. Volkers, C.I.E., Secretary to the Railway Board, is permitted to retire from the service, with effect from the 12th November 1913, under the provisions of Article 464 of the Civil Service Regulations.

No. 337.—Mr. J. T. R. Stark, Registrar, Government of India, Railway Department (Railway Board), is permitted to retire from the service of Government, with effect from the 1st December 1913.

No. 338.—With reference to Railway Board's Notification No. 337, dated the 19th November 1913, Mr. J. J. O'Reilly, Superintendent, 1st grade, is appointed Registrar, Government of India, Railway Department (Railway Board).

No. 339.—With reference to Railway Board's Notification No. 338, dated the 19th November 1913, the following permanent promotions are ordered:—

	From	To
Rai Sahib Sris Chandra Lahiri ...	Superintendent, 1st grade, officiating	Superintendent, 1st grade.
Mr. T. B. Heysham ...	Superintendent, 2nd grade, officiating	Superintendent, 2nd grade.
Mr. Balak Nath ...	Superintendent, 3rd grade, officiating	Superintendent, 3rd grade.

No. 340.—Mr. W. H. Young, Assistant Traffic Superintendent, North-Western Railway, in class III, grade 1, of the Superior Revenue Establishment of State Railways, is appointed to officiate as a District Traffic Superintendent in class II of that establishment, with effect from the 15th October 1913 and until further orders.

No. 341.—It is hereby notified for general information that the Railway Board have sanctioned a reconnaissance survey being carried out by the agency of the Rohilkund and Kumaon Railway Company for a line of railway on the metre gauge from Kasganj Junction station to Rewari station on the Bombay, Baroda and Central India Railway *via* Aligarh, Sholaka and Nuh, with a branch from Nuh to Delhi. This survey will be known as the Kasganj-Rewari Railway Reconnaissance Survey.

The 20th November, 1913.

No 342.—The following promotions and reversions to and in the classes of Chief and Superintending Engineers are ordered :—

Name.	From	To	With effect from
Rowland, A. ...	Superintending Engineer, 1st class, and Chief Engineer, 2nd class, <i>temporary</i> .	Chief Engineer, 2nd class, <i>permanent</i> .	8th May 1913.
Pratt, C. ...	Superintending Engineer, 1st class.	Chief Engineer, 2nd class, <i>temporary</i> .	Ditto.
Alum, F. W. ...	Superintending Engineer, 3rd class, <i>offg.</i>	Superintending Engineer, 3rd class, <i>temporary</i> .	3rd July 1913.
Wilkinson, Major C. W., R.E.	Superintending Engineer, 3rd class, <i>temporary</i> .	Superintending Engineer, 2nd class, <i>temporary</i> .	17th July 1913.
Verrieres, E. ...	Superintending Engineer, 3rd class, <i>offg.</i>	Superintending Engineer, 3rd class, <i>temporary</i> .	22nd July 1913.
Hearn, Major G.R.	Superintending Engineer, 3rd class, <i>offg.</i>	Superintending Engineer, 3rd class, <i>temporary</i> .	17th August 1913.
Gales, R. R. ...	Superintending Engineer, 1st class, <i>temporary</i> .	Chief Engineer, 2nd class, <i>temporary</i> .	27th September 1913.
Rala Ram, Rai Bahadur, I.S.O.	Superintending Engineer, 2nd class, <i>temporary</i> .	Superintending Engineer, 1st class, <i>temporary</i> .	Ditto.
Richards, G. ...	Superintending Engineer, 3rd class, <i>temporary</i> .	Superintending Engineer, 2nd class, <i>temporary</i> .	Ditto.
Walton, Colonel E. W.	Superintending Engineer, 1st class, <i>permanent</i> , and Chief Engineer, 2nd class, <i>temporary</i> .	Chief Engineer, 2nd class, <i>permanent</i> , and Chief Engineer, 1st class, <i>temporary</i> .	1st October 1913.
Woodside, J. ...	Superintending Engineer, 1st class, <i>temporary</i> .	Chief Engineer, 2nd class, <i>temporary</i> .	Ditto.
Nathan, W. ...	Superintending Engineer, 2nd class, <i>permanent</i> .	Superintending Engineer, 1st class, <i>permanent</i> .	Ditto.
Hasby, W. A. E.	Superintending Engineer, 2nd class, <i>temporary</i> .	Superintending Engineer, 1st class, <i>temporary</i> .	Ditto.
Wilson, C. D. D.	Superintending Engineer, 3rd class, <i>permanent</i> , and Superintending Engineer, 1st class, <i>temporary</i> .	Superintending Engineer, 2nd class, <i>permanent</i> , and Superintending Engineer, 1st class, <i>temporary</i> .	Ditto.
Heap, J. H. ...	Superintending Engineer, 3rd class, <i>temporary</i> .	Superintending Engineer, 2nd class, <i>temporary</i> .	Ditto.
Sutherland, J. ...	Executive Engineer	Superintending Engineer, 3rd class, <i>permanent</i> .	Ditto.
Stapleton, B. ...	Superintending Engineer, 3rd class, <i>offg.</i>	Superintending Engineer, 3rd class, <i>temporary</i> .	Ditto.
Pakenham-Walsh, A. R.	Executive Engineer	Superintending Engineer, 2nd class, <i>temporary</i> .	15th October 1913.
Heap, J. H. ...	Superintending Engineer, 2nd class, <i>temporary</i> .	Superintending Engineer, 3rd class, <i>temporary</i> .	Ditto.
Verrieres, E. ...	Superintending Engineer, 3rd class, <i>temporary</i> .	Executive Engineer	Ditto.

No. 343.—With reference to Railway Board's Notification No. 163, dated the 13th June 1913, Mr. K. M. Kirkhope, Officiating Deputy Locomotive and Carriage Superintendent, Eastern Bengal Railway, reverted to his substantive appointment of District Locomotive Superintendent in class II, grade 2, of the Superior Revenue Establishment of State Railways, with effect from the 10th November 1913.

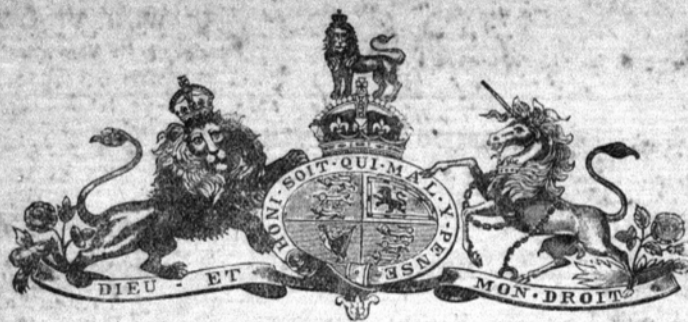
The ^{20th}/_{21st} November, 1913.

No. 344.—Mr. J. Izat, Executive Engineer, Eastern Bengal Railway, is appointed Superintendent of Works, Sara Serajgunj Railway Construction, under the administrative control of the Engineer-in-Chief, Lower Ganges Bridge Project.

Notification No. 283 of 17th October 1913 is hereby cancelled.

T. RYAN,

Offg. Secretary, Railway Board.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 48.} DELHI, SATURDAY, NOVEMBER 29, 1913.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART I.

Government of India Notifications, Appointments, Promotions, etc.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Simla, the 24th November 1913.

No. 60.—The Governor General is pleased to accept the resignation by the Hon'ble Mr. Arthur Leslie Saunders, C.S.I., I.C.S., of his office of Additional Member of the Legislative Council of the Governor General.

No. 61.—The Governor General is pleased to accept the resignation by the Hon'ble Mr. Reginald Childers Culling Carr, I.C.S., of his office of Additional Member of the Legislative Council of the Governor General.

W. H. VINCENT,
Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.

ESTABLISHMENTS.

Delhi, the 24th November 1913.

No. 2616.—Mr. J. Sanders has been permitted to resign His Majesty's Indian Civil Service with effect from the 1st September 1913.

The 27th November 1913.

No. 2634.—Mr. A. Meredith, C.S.I., has been permitted to resign His Majesty's Indian Civil Service with effect from the 14th September 1913.

JUDICIAL.

The 21st November 1913.

No. 42-C.—His Majesty the King-Emperor has been pleased to appoint Asutosh Chaudhuri, Esq., Barrister-at Law, at present acting as an Additional Judge of the High Court of Judicature at Fort William in Bengal, to be a Judge of that Court, with effect from the 15th November 1913, *vice* the Hon'ble Justice Sir Richard Harington, Bart., resigned.

No. 43-C.—In pursuance of section 3 of the Indian High Courts Act, 1911 (1 and 2 Geo. 5, Cap. 18), the Governor General in Council is pleased to appoint Mr. B. K. Mullick, Indian Civil Service, to act as an Additional Judge of the High Court of Judicature at Fort William in Bengal, in the vacancy caused by the confirmation of the Hon'ble Mr. Asutosh Chaudhuri as a Judge of the said Court, with effect from the date on which he takes his seat in that Court.

MEDICAL.

Simla, the 20th November 1913.

No. 1029.—Major H. J. Walton, M.D., F.R.C.S., I.M.S., is appointed to be Professor of Pathology at King George's Medical College, Lucknow, with effect from the 1st September 1913.

PUBLIC.

Delhi the 29th November 1913.

No. 150-C.—In exercise of the power conferred by section 9 of the Indian Councils Act, 1861 (24 and 25 Vict., Cap. 67), the Governor General in Council is pleased to direct that the Council of the Governor General shall assemble at Delhi.

LISTING OF TWO OUT OF THE FOUR APPOINTMENTS OF SUPERINTENDENT OF LAND RECORDS AND REGISTRATION IN THE BOMBAY PRESIDENCY INCLUDING SIND, AS OPEN TO THE MEMBERS OF THE PROVINCIAL CIVIL SERVICE.

ESTABLISHMENTS.

Delhi, the 24th November 1913.

RESOLUTION.

Nos. 59-C.—62-C.—With the approval of the Secretary of State, the Governor General in Council is pleased to announce that one of the three appointments of Superintendent of Land Records and Registration in the Bombay Presidency and a similar appointment in Sind, which are ordinarily reserved for members of the Indian Civil Service, shall be included in the list of appointments open to members of the Provincial Civil Service in that Presidency (including Sind). His Excellency in Council is also pleased to declare, with the sanction of the Secretary of State, that officers of the Provincial Civil Service when appointed to these posts, shall draw the pay and allowances of their grade in addition to a special allowance of Rs. 100 a month.

ORDER.—Ordered that a copy of this resolution be forwarded to the Government of Bombay, the Finance Department and the Department of Revenue and Agriculture for information, and that it be published in the *Gazette of India*.

H. WHEELER,

Secretary to the Government of India.

DEPARTMENT OF EDUCATION.

NOTIFICATIONS.

(SANITARY.)

Simla, the 26th November 1913.

No. 1795.—The services of Major R. McCarrison, M.D., I.M.S., are replaced at the disposal of the Foreign Department with effect from the 1st February 1914 or any subsequent date on which he makes over charge of his special duty on the goitre inquiry.

No. 1799.—Major S. R. Christophers, I.M.S., is appointed to act as Director, Central Research Institute, Kasauli, with effect from the 6th November 1913, during the absence on deputation of Major W. F. Harvey, I.M.S., or until further orders.

Delhi, the 26th November 1913.

No. 1800.—Major W. G. Liston, M.A., C.I.E., I.M.S., is reverted to his substantive appointment of Director of the Bombay Bacteriological Laboratory with retrospective effect from the 1st April 1913. He is appointed to act as Senior Member of the Plague Research Commission in addition to his own duties with effect from that date and until further orders.

L. C. P. RTER,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATIONS.

(FORESTS.)

Delhi, the 28th November 1913.

No. 6-C.—On return from privilege leave, Mr. J. Copeland, Conservator, 1st grade, resumed charge of the Office of Conservator of Forests, Punjab and North-West Frontier Province, on the forenoon of 30th October 1913, the date on which he relieved Mr. W. Mayes, Officiating Conservator of Forests, 3rd grade.

From the same date Mr. W. Mayes reverted to his substantive appointment of Deputy Conservator of Forests on the Punjab cadre.

No. 7-C.—On return from privilege leave Mr. H. H. Forteach, Conservator of Forests, 3rd grade, sub. *pro. tem.*, resumed charge of the Northern Circle, Central Provinces, on the forenoon of 21st November 1913, the date on which he relieved Mr. S. L. Kenny, Officiating Conservator of Forests, 3rd grade.

From the same date Mr. S. L. Kenny reverted to his substantive appointment of Deputy Conservator of Forests on the Central Provinces cadre.

E. D. MACLAGAN,
Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATIONS.

LEAVE AND APPOINTMENTS.

Delhi, the 28th November 1913.

No. 1513-F. E.—Mr. W. D. Woollam has been placed on special duty with effect from the 17th November 1913.

No. 1514-F. E.—Mr. E. D. Chanter has been posted as Deputy Accountant-General, Burma, with effect from the 27th October 1913.

No. 1515-F. E.—Mr. P. G. Jacob, Assistant Comptroller-General, in charge, Paper Currency, Calcutta, has been granted privilege leave for 3 months and in continuation furlough for 9 months with effect from the 7th November 1913.

No. 1516-F. E.—Mr. P. N. Mukherjee, Chief Superintendent, has been posted to the office of the Comptroller and Auditor-General with effect from the 12th November 1913.

Mr. A. G. Hein, Chief Accountant, has been posted as Assistant Audit Officer, Delhi Province, with effect from the 19th November 1913.

No. 1517-F. E.—Mr. J. J. Latta has been posted as Assistant Accountant-General, Bengal, with effect from the 17th November 1913.

No. 1518-F. E.—Mr. A. Aukim, Chief Superintendent, office of the Accountant-General, Burma, has been granted privilege leave for three months with effect from the 6th November 1913.

No. 1519-F. E.—Mr. V. C. French has been appointed to officiate as Deputy Auditor-General with effect from the 30th October 1913 and until further orders.

No. 1520-F. E.—Mr. L. J. W. Worgan, Comptroller, Assam, has been granted privilege leave for 3 months and in continuation special leave on urgent private affairs for 3 months with effect from the 27th October 1913.

Mr. J. Davidson was appointed to officiate as Comptroller, Assam, from the 27th October to the 10th November 1913.

Mr. P. C. Bhattacharyya, a Superintendent in the office of the Comptroller, Assam, was appointed to officiate as Chief Superintendent, Class II, in that office for the same period.

No. 1522-F. E.—Mr. W. A. T. Carnduff has been appointed to act as Comptroller, Assam, with effect from the 11th November 1913 and until further orders.

J. B. BRUNYATE,
Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Dated Simla, the 17th November 1913.

No. 3623-I.B.—In exercise of the power conferred by section 25, sub-section (I), of the Cantonments Act of 1910, XV of 1910, as applied to the Cantonment of Secunderabad by the Notification of the Government of India in the Foreign Department, No. 582-I.B., dated the 22nd March 1913, the Governor-General in Council is pleased to direct that on and with effect from the 1st December 1913, the Cantonment Code of 1912 in force in British India shall be in force in the Cantonment of Secunderabad, in the restricted and modified form hereinafter set forth below :

2. The Secunderabad Cantonment Code of 1903, published with the notification of the Government of India in the Foreign Department, No. 3776-I.B., dated the 14th August 1903, as subsequently amended, is hereby rescinded.

But committees constituted, appointments, orders, bye-laws and requisitions made, notifications, notices and summonses issued, and licenses granted under the said Code, shall be deemed to have been respectively constituted, made, issued and granted, under the rules and applied enactments hereby directed to be in force.

SECUNDERABAD CANTONMENT CODE, 1913.

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- (m) "Market."
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CHAPTER I.

PRELIMINARY.

Short Title.

Short Title.

1. These rules and applied enactments may be called the Secunderabad Cantonment Code of 1913.

*General Definitions.**

Definitions.

2. (1) In this Code, unless there is anything repugnant in the subject or context,—

- (a) "Accountant-General" means the Accountant-General, Madras :
- (b) "bazar" means any land in the cantonment which has been set apart for the purposes of trade or the residence of natives or any other purpose, and the boundaries of which have been demarcated by pillars or posts and specified by, or under the authority of, the Resident at Hyderabad, in *Residency Orders* :
- (c) * * * * *
- (cc) "Division" means the 9th Secunderabad Division.
- (d) "dairy" includes every farm, shed, milk-store, milk-shop or other place from which milk is supplied, or in which milk is kept for purposes of sale :
- (e) "dairyman" includes the keeper of a cow, buffalo, goat, ass or other animal, the milk of which is offered, or intended to be offered, for sale for human consumption, any purveyor of milk and any occupier of a dairy :
- (f) "Executive Engineer" means the Officer in immediate executive engineering charge of the cantonment :
- (g) "Officer Commanding the Division" means the Officer Commanding the 9th Secunderabad Division :
- (h) "infectious or contagious disorder" includes cholera, plague, leprosy, enteric fever and every infectious or contagious disorder other than a venereal disease :
- (i) "keeper of a sarai" includes the owner of a sarai, any person having the care or management of a sarai and the lessee of any land, whether belonging to the Government or not, occupied by a sarai :
- (j) "lessee" means a person who has been granted permission, whether before or after the commencement of this Code, to occupy for the purposes of a building site, land belonging to the Government in the cantonment, and includes the successors in interest of a lessee :
- (k) "licensed market" means a private market licensed by the cantonment authority :
- (l) "licensed slaughter-house" means a private slaughter-house licensed by the cantonment authority :
- (m) "market" means a place in the cantonment where persons periodically assemble for purposes of selling any articles of food for human consumption :
- (n) "notification" means a notification in the Hyderabad *Residency Orders* :
- (o) "notified" means published by notification :
- (oo) "Commanding Officer of the Cantonment" means the Senior Officer in Command of the Troops in the Secunderabad Cantonment :
- (p) "private market" means a market not maintained by the cantonment authority :
- (q) "private slaughter-house" means a slaughter-house not maintained by the cantonment authority :
- (r) "public market" means a market maintained by the cantonment authority :
- (s) "public slaughter-house" means a slaughter-house maintained by the cantonment authority :
- (t) "regimental bazar" means a bazar under the management of regimental authorities :
- (u) "Sanitary Officer" means the Health Officer of the Cantonment, or any Medical Officer appointed to perform the duties of the Sanitary Officer of the cantonment :
- (v) "sarai" means a building in the cantonment ordinarily used, whether wholly or in part, for the accommodation of native travellers :

* In addition to these definitions, the definitions in section 2 of the Cantonments Act, 1910 (XV of 1910), as applied to the Cantonment of Secunderabad, apply and should be borne in mind—See section 20 of the General Clauses Act, 1897 (X of 1897), as applied to the Cantonment of Secunderabad. Further, the provisions of the latter Act are applicable.

- (w) "slaughter-house" means a place in the cantonment ordinarily used for the slaughter of animals for the purpose of selling the flesh for human consumption :
- (x) "source of public water-supply" includes every public well, tank, river, stream, spring, channel, reservoir or other source in the cantonment from which water is or may be made available for public use, whether or not it is used for the purposes of water-works, and also every source of water-supply situate on private premises to the use of which the public is entitled :
- (y) "street" includes any way, road, lane, square, court, alley, passage or open space in the cantonment, whether a thoroughfare or not and whether built upon or not, over which the public have a right of way, and also the road-way and footway over any bridge or causeway : and
- (z) "treasury" means the Government treasury or sub-treasury, or the bank or place prescribed by or under section 20 of the Cantonments Act, 1910, as applied to the cantonment of Secunderabad, for the custody of the cantonment fund of the cantonment.

(2) Where any question arises as to whether a building is or is not a sarai, or a place is or is not a slaughter-house, it shall be decided by the cantonment authority ; and the decision of the cantonment authority thereon shall be final and conclusive.

CHAPTER II.

CANTONMENT COMMITTEES AND CONTROL.

Constitution.

2. (1) The Cantonment Committee, Secunderabad, shall ordinarily consist of the following members, namely :—

- (a) a Combatant Officer appointed by name in the Divisional Orders by the Officer Commanding the Division, or, failing such appointment, the Officer who would succeed to the Command of the Cantonment during the temporary absence of the Commanding Officer of the Cantonment,
- (b) such Commanding Officers of units (including at least one from Bolaram), in the Cantonment as may be nominated in Station Orders to be members,
- (c) the Executive Engineer,
- (d) the District Superintendent of Police,
- (e) the Cantonment Magistrate,
- (f) the Medical Officer in charge of the Civil Hospital, Secunderabad,
- (g) the Sanitary Officer.

(2) The Officer appointed under section 3 (1) (a) shall be the President, and the Cantonment Magistrate shall be the Secretary of the Committee.

(3) If the President is absent from any meeting the next Senior Combatant Officer present shall preside on that occasion.

4. The Resident at Hyderabad may after consultation with the Officer Commanding the Division, by order in writing, appoint any residents of the Cantonment, whether officials or non-officials, to be additional members of the Cantonment Committee for such period as may be stated in the order and may similarly revoke any appointment so made.

Cantonment Committee to discharge functions of Cantonment authority.

5. The Cantonment Committee shall discharge the functions of the cantonment authority under this Code.

6. * * * * *

Meeting of the Cantonment Committee.

7. (1) The Cantonment Committee shall meet for the transaction of business once at least in every month, and at such other times as the President may direct.

(2) The time and place of each meeting shall be announced in Station Orders, and shall be communicated to each member by a notice in writing issued by the Secretary.

(3) Every notice issued under sub-section (2) shall,—

- (a) unless the President in any case otherwise directs, be issued so as to reach each member three clear days before the meeting takes place ; and

(b) Be accompanied by an *agenda* paper specifying the business to be transacted at the meeting.

(4) The President may permit the consideration of any business not specified in the *agenda* paper as aforesaid unless a majority of the members require its postponement to a later meeting.

(5) The President may, by order in writing, adjourn any meeting to any date to be fixed by the order.

Six days' notice required in certain cases.

8. No business relating to the imposition, abolition or modification of any tax shall be transacted at a meeting unless at least six clear days' notice in writing of the date fixed therefor has been given.

Quorum.

9. No business shall be transacted at a meeting unless half the total number of members are present, in addition to the President.

10. (1) Minutes of the proceedings at each meeting shall be recorded in a book, shall be signed by the President, and shall, at such times and in such place as shall be fixed by the Cantonment Committee, be open, free of charge, to the inspection of any inhabitant of the cantonment.

(2) A copy of the minutes shall, as soon as possible after each meeting, be forwarded for the information of the Resident at Hyderabad and to the Commanding Officer of the Cantonment.

11. Every meeting shall be open to the public, unless in any case the President, for reasons to be recorded in the minutes, otherwise directs.

Meetings to be public.

Decision by majority of votes.

12. (1) All questions coming before a meeting shall be decided by a majority of the votes of the members present and voting.

(2) In the case of an equality of votes, the President shall have a second or casting vote.

(3) The dissent of any member from any decision of the Cantonment Committee, with an abstract of the grounds therefor, shall, if the member so requests, be entered by the Secretary in the minutes.

Control.

13. (1) If the President dissents from any decision of the Cantonment Committee, he may, for reasons to be recorded in the minutes, by order in writing, direct the suspension of action thereon, for any period not exceeding one month, and, if he does so, he shall forthwith refer the matter to the Resident at Hyderabad, through the Commanding Officer of the Cantonment.

Provided that, before issuing orders on any reference made under this sub-section, the Resident shall consult the Officer Commanding the Division and shall also inform him of his decision, when given.

(2) If the Cantonment Magistrate considers any decision of the Cantonment Committee to be prejudicial to the public health, safety or convenience, he may for reasons to be recorded in the minutes and after giving notice in writing of his intention to the President, refer the matter to the Resident at Hyderabad, through the Commanding Officer of the Cantonment; and the President shall thereupon direct the suspension of action on the decision pending the disposal of the reference to the Resident, and shall forthwith report the matter to the Officer Commanding the Division through the Commanding Officer of the Cantonment.

(3) * * * * *

Controlling powers of Commanding Officer of the Cantonment.

14. The Commanding Officer of the Cantonment may, by order in writing,—

- (a) call for any book or document in the possession or under the control of the cantonment authority;
- (b) require the cantonment authority to furnish such statements, accounts, reports and copies of documents relating to its proceedings or duties as he may think fit;
- (c) require the cantonment authority to furnish plans and estimates for all works to be constructed out of the cantonment fund at a cost exceeding five hundred rupees, and to conform to such directions as he may think fit to give with respect to the superintending authority by whom such works shall be approved;
- (d) direct that all estimates prepared under paragraph 30 (c) of the Code shall be subjected to the scrutiny of the Executive Engineer, who shall record his opinion thereon;

- (e) direct that any matter or any specific proposal, other than one which has been referred to the Resident at Hyderabad under section 13, sub-section (2), be brought before the Cantonment Committee; and
- (f) direct the suspension of action on any decision of the Cantonment Committee for any period not exceeding one month and refer the matter to the Officer Commanding the Division.

Controlling powers of Officer Commanding the Division.

15. (1) The Officer Commanding the Division may, by order in writing,—

- (a) exercise any of the powers conferred by section 14, on the Commanding Officer of the Cantonment,
- (b) direct the suspension, for such period as may be stated in the order, of action on any decision of the Cantonment Committee which has not been reported to him under section 13, sub-section (2).
- (2) The Officer Commanding the Division when directing suspension of action on any such decision shall forward a copy of his order of suspension to the Resident at Hyderabad, by whom, after consultation with the Officer Commanding the Division, final orders shall be passed.

16. When any decision of the Cantonment Committee has been referred to the Resident at Hyderabad under section 13, the Resident at Hyderabad shall consult the Officer Commanding the Division after obtaining the opinion of the Commanding Officer of the Cantonment and may then, by order in writing, either—

- (a) cancel the order given by the President directing the suspension of action; or
- (b) extend its duration for such period as may be stated in his order; or
- (c) direct that no action be taken on the decision; or
- (d) declare the modifications with which the decision may be carried into effect by the Cantonment Committee.

CHAPTER III.

THE CANTONMENT MAGISTRATE AND CANTONMENT SERVANTS.

Cantonment Magistrate.

17. (1) The Cantonment Magistrate shall be the executive officer of the cantonment authority, and all orders of the cantonment authority shall be issued through him.

(2) The Cantonment Magistrate, as Secretary of the Cantonment Committee and as executive officer of the cantonment authority, shall be subordinate to the Commanding Officer of the Cantonment.

(3) The Cantonment Magistrate shall see that all orders of the cantonment authority are duly obeyed.

(4) The Cantonment Magistrate shall, as far as practicable, keep a record of every final order issued by him in his official capacity.

Cantonment Servants.

18. (1) With the previous sanction of the Resident at Hyderabad, and subject to the provisions of sections 30 and 33 and to the control over the cantonment fund which is vested in the Resident at Hyderabad by section 21 of the Cantonments Act, 1910, as applied to the cantonment of Secunderabad, the cantonment authority shall fix the number and salaries of the servants to be employed by it.

(2) Every alteration in the number of such servants or in their salaries shall be subject to the sanction and control aforesaid:

Provided that temporary servants may, in cases of emergency, and if funds are available, be employed without such sanction for any period not exceeding three months, or with the sanction of the Commanding Officer of the Cantonment for any period not exceeding six months.

19. The Cantonment Magistrate shall maintain such public register of menial servants employed by the cantonment authority as may be instituted by that authority.

Appointment and supervision of servants of cantonment authority.

20. The Cantonment Magistrate shall

- (a) appoint all servants required by the cantonment authority;
- (b) apportion, control and superintend the performance of the duties of all such servants;
- (c) disburse the salaries of all such servants; and

(d) deal with applications from such servants for leave of absence :

Provided that no person shall be appointed under this section who has been dismissed for misconduct from employment under any other cantonment or local authority, or any Department of the Government.

21. The Cantonment Magistrate may, for reasons to be recorded by him in writing, fine ;
Punishment of servants of cantonment authority. suspend, dismiss or reduce to a lower grade or salary any servant of the cantonment authority :

Provided, first, that no fine so imposed shall exceed one week's salary of the servant fined :

Provided, secondly, that the Cantonment Magistrate shall submit to the cantonment authority a monthly list of all such fines, suspensions, dismissals and reductions.

Exception.—In the case of the conservancy establishments of Indian units the powers detailed in the two foregoing sections shall be exercised by the Officers Commanding such units.

22. Whoever obstructs or molests any person employed by the cantonment authority
Penalty for obstructing in their duty persons employed by, or contracting with, the cantonment authority. [not being a public servant within the meaning of section 21 of the Indian Penal Code as applied to the cantonment of Secunderabad], or any person with whom the cantonment authority may have

lawfully contracted, in the performance and execution of his duty or of anything which he is empowered or required to do by virtue or in consequence of any of the provisions of this Code, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

23. (1) In the absence of a written contract to the contrary, every sweeper employed by
Notice of discharge or resignation. the cantonment authority shall be entitled to one month's notice before discharge or to one month's wages in lieu thereof, unless he is discharged for misconduct or was engaged for a specified term and discharged at the end of it.

(2) Whoever, being, a sweeper employed by the cantonment authority, in the absence of a written contract authorising him so to do, and without reasonable cause, resigns his employment or absents himself from his duties without giving one month's notice to the cantonment authority, or neglects or refuses to perform his duties or any of them, shall be punishable with imprisonment for a term which may extend to two months.

(3) The Resident at Hyderabad may, by notification, direct that on and from a date to be specified in the notification, the provisions of this section with respect to sweepers shall apply also to any specified class of servants employed by the cantonment authority whose functions intimately concern the public health or safety.

Explanation.—In this section the word "sweeper" includes any menial employed by the cantonment authority in the removal or disposal of filth or rubbish.

24. (1) The Cantonment Magistrate shall require every servant of the cantonment
Security to be furnished by certain servants of cantonment authority. authority who is entrusted with the receipt, custody or control of moneys or securities for money to furnish security for the due discharge of his office to such amount as the cantonment authority may determine.

(2) No security shall be accepted other than a deposit of—

(a) cash, or

(b) Government securities, or

(c) shares in the Bank of Bengal, the Bank of Madras or the Bank of Bombay, or

(d) debentures or other securities for money issued by or on behalf of a local authority.

Explanation.—In this section the words "deposit of cash" include Savings Bank deposits if pledged to the President of the Cantonment Committee.

25. On or about the first day of January in each year the Cantonment Magistrate shall
Annual report as to sufficiency of security furnished. submit to the cantonment authority a report as to the sufficiency of the security furnished by or on behalf of its servants.

26. The Cantonment Magistrate shall deal in the manner prescribed in the Civil Account
Procedure in dealing with moneys and securities deposited. Code with all moneys and securities deposited as security by or on behalf of servants of the cantonment authority or persons who have entered into contracts with the cantonment authority :

Provided that no such moneys or securities as aforesaid shall be delivered up,—

(a) if deposited by or on behalf of a servant of the cantonment authority, until after the lapse of such time after the death of, or the vacation of his office by such servant as the cantonment authority may direct ; or,

(b) if deposited by or on behalf of a contractor, then, in the absence of any condition in the contract to the contrary, until after the lapse of such time after the completion of the contract to the satisfaction of the cantonment authority as that authority may direct.

CHAPTER IV.

CANTONMENT FUND.

Credits to Funds.

Sums to be credited to cantonment fund.

27. There shall be placed to the credit of the cantonment fund the following sums, namely :

XV of 1910.

- (a) all sums directed by section 19, sub-section (1), of the Cantonments Act, 1910, as applied to the cantonment of Secunderabad, or by or under any other enactment for the time being in force, to be placed to the credit of that fund ; and
- (b) all grants-in-aid and other sums received by the cantonment authority in aid of that fund.

28. (1) The Secretary to the Government of India in the Army Department shall, from time to time, intimate to the Officer Commanding the Division the annual sum (if any) which will from time to time be placed at his disposal by the Government of India as a grant-in-aid to the cantonment funds in his Division.

(2). The Officer Commanding the Division shall distribute the said sum among the said cantonment funds in such proportions as he may think fit.

Application of Fund.

Purposes to which cantonment fund may be applied.

29. (1) The cantonment fund may be applied to the following purposes within the cantonment, namely :

- (a) the payment of any expenses directed by or under any enactment for the time being in force to be debited to the fund ;
- (b) * * * * *
- (c) the provision and maintenance of an office for the cantonment authority ;
- (d) the payment of the salaries of the cantonment establishment, the pensions of members of that establishment entertained prior to the 4th November 1905, or any contribution to a Provident Fund on account of any member of that establishment ;
- (e) the survey of buildings and lands ;
- (f) the management and improvement of lands and other property placed by the Government under the management of the cantonment authority, including—
 - (i) the construction and maintenance of streets (other than those maintained from Imperial or Provincial Funds),
 - (ii) the lighting, watering, and cleansing of streets, and
 - (iii) the maintenance of public parks and gardens and the planting and tending of trees ;
- (g) the provision and maintenance, or the aiding, of hospitals, dispensaries and schools, and the conveyance of patients to and from hospitals and their expenses therein ;
- (h) the provision and maintenance of public markets and slaughter-houses ;
- (i) the acquisition of immoveable property for cantonment purposes ;
- (j) the carrying out of a proper system of conservancy throughout the cantonment for all its inhabitants, other than classes of troops for whom conservancy is provided from public revenues other than the cantonment fund, including—
 - (i) the pay of the public conservancy establishment,
 - (ii) the construction of public latrines and other conservancy works, and
 - (iii) the purchase of all necessary conservancy carts, utensils, and other appliances ;
- (k) the carrying out of a proper system of water-supply and drainage and of other sanitary measures, including public vaccination and the prevention of the spread of infectious or contagious disorders, and generally the maintenance of the cantonment in a thoroughly sanitary condition ;
- (l) the burial, burning, or other lawful disposal of the corpses of paupers and unknown persons ;
- (m) the abatement of nuisances ;
- (n) the taking of a census ; and
- (o) generally, the payment of all expenses incurred under this Code or any other rule or law for the time being in force.

(2) The cantonment fund may, with the general or special sanction of the Resident, be applied to any of the purposes referred to in sub-section (1), beyond the limits of the cantonment in cases in which, in the opinion of the Resident, the application of the fund beyond those limits is for the benefit of the inhabitants of the cantonment or of any military force or detachment ordinarily quartered therein.

Estimates and sanctions.

Money not to be paid unless expenditure sanctioned. 30. No money shall be paid from the cantonment fund unless the expenditure is either—

- (a) provided for in the sanctioned budget estimate or by reappropriation under section 33 ; or
- (b) sanctioned by the Resident on the recommendation of the cantonment authority and
- (c) in the case of expenditure on public works unless the following formalities have been complied with :—
 - (i) Provision for works may be made in the Secunderabad Cantonment budget estimate under the following sanctions :—
 - (a) That of the Cantonment Committee when estimated to cost less than Rs. 2,000 in each case.
 - (b) That of the Resident when estimated to cost Rs. 2,000 and upwards in each case.
 - (ii) Provision for repairs may be made in the budget estimate under the sanction of the Cantonment Committee within the total limit assigned by the Resident.
 - (iii) A design and an estimate to be approved by the Cantonment Committee and countersigned by its Secretary, must be prepared for every original work costing more than Rs. 200. These designs and estimates should be professionally approved by the Executive Engineer. No original work, costing over Rs. 200 and up to Rs. 10,000, should be entered in the budget estimate until its design and estimate have been prepared and approved, as above required. For any original work costing over Rs. 10,000 the project must first be submitted for sanction by the Committee accompanied by a rough design and approximate estimate prepared by the Executive Engineer. After the sanction of the Resident provision may be made in the budget estimate. A detailed design and estimate will then be prepared by the Executive Engineer, in communication with the Committee, and submitted for the sanction of the Resident in the usual course.
 - (iv) The Cantonment Committee may sanction estimates of original works up to Rs. 2,000 ; estimates over Rs. 2,000 will be sanctioned by the Resident.
 - (v) The Cantonment Committee may sanction all estimates of ordinary repairs, and of special repairs up to Rs. 2,000. Estimates of special repairs over Rs. 2,000 will be sanctioned by the Resident. By special repairs is meant such repairs as require some engineering skill for their proper execution. All estimates of repairs should be prepared by the Executive Engineer, approved by the Cantonment Committee and countersigned by the Secretary to the Committee.
 - (vi) All original works and repairs will be carried out by the Executive Engineer in accordance with the Public Works Department rules. The Resident may, however, at his discretion order the execution of any original work or any special repair by any officer other than the Executive Engineer.
 - (vii) Estimates for tools and plant and live-stock required for public works may be sanctioned as follows :—

Supply and repairs of Tools and Plant.

By Cantonment Committee up to Rs. 500.

By Resident over Rs. 500.

Live-stock.

By Cantonment Committee up to Rs. 200.

By Resident over Rs. 200.

- (viii) The powers of sanction conveyed in the foregoing paragraphs are not to be exercised so as to lead to a work being sanctioned in portions on separate estimates, or to the purchase at different times and on separate estimates of articles which should have been included in one estimate.
- (ix) Except in so far as is specially provided in these rules, the Code of General Regulations of the Government of India in the Public Works Department will, as far as may be practicable, apply to all Cantonment public works.

31. The responsibility for administering the funds provided in the sanctioned budget estimate or sanctioned under section 30, clause (b), shall rest with the cantonment authority.

Responsibility for administering funds.

32. (1) On the first day of September in each year, or on such other date as the Resident may direct, the cantonment authority shall submit to the Commanding Officer of the Cantonment, a budget estimate of the receipts into, and expenditure from, the cantonment fund for the ensuing financial year.

(2) The budget estimate shall be framed in accordance with Form 8 in Schedule I, or in such other form as may from time to time be prescribed by the Comptroller-General with the previous sanction of the Governor-General in Council.

(3) The Commanding Officer of the Cantonment may revise the budget estimate and shall submit it to the Officer Commanding the Division.

(4) The Officer Commanding the Division may further revise the budget estimate, and shall submit it to the Resident by the 30th day of November in each year.

(5) The Resident may sanction such estimates with or without modification.

(6) The sanction of the Resident to such estimates shall be communicated—

(a) to the cantonment authority;

(b) to the Commanding Officer of the Cantonment;

(c) to the Officer Commanding the Division.

Re-appropriation.

33. (1) The cantonment authority may—

(a) with the previous sanction of the Officer Commanding the Division, through the Commanding Officer of the Cantonment, re-appropriate any sum from one major head of the budget estimate to another:

Provided that no allotment to any major head shall, by re-appropriation, be varied by more than twenty per cent. of its original amount, except with the previous sanction of the Resident at Hyderabad also; or

(b) with the previous sanction of the Commanding Officer of the Cantonment re-appropriate any sum from one minor head or sub-head of the budget estimate to another minor head or sub-head under the same major head, or from one major head to another.

Provided that no allotment to any major head shall, by re-appropriation, be varied by more than ten per cent. of its original amount, except with the previous sanction of the Officer Commanding the Division also.

(2) A copy of every order made under Sub-section (1) (b) shall be sent by the Commanding Officer of the Cantonment to the Officer Commanding the Division.

Payments.

34. (1) Every claim for payment from the cantonment fund shall be supported by a voucher, duly receipted and (if necessary) stamped, and shall be presented to the Secretary to the Cantonment Committee.

(2) The Secretary shall check and examine every claim, and, if it is found correct and supported by a voucher as aforesaid, shall sign an order for payment thereof.

(3) If payment is to be made from the imprest, the order for payment shall be "Pay in cash rupees (*in words*)," and if payment is to be made by cheque, the order shall be "Pay by cheque No. , dated , rupees (*in words*)," the blanks being filled up when the cheque is signed.

Payments how to be made.

35. Payments shall be made—

(a) if the sum to be paid does not exceed twenty rupees, in cash; and

(b) if the sum to be paid exceeds twenty rupees, by cheque.

36. (1) Money may be drawn from the cantonment fund only by means of a cheque written in Form 4 in Schedule I.

Cheques.

(2) All cheques shall be signed by the Secretary to the Cantonment Committee.

(3) Cheques drawn in favour of a Government officer shall be made payable to order and cheques drawn in favour of any other person shall be made payable to bearer.

(4) All cheque forms shall be bound in books with counterfoils.

(5) Every cheque book shall bear a number, and the Secretary to the Cantonment Committee shall notify to the treasury the number of the cheque book which he from time to time brings into use.

(6) On each cheque form there shall be entered the number of the cheque book in which the form is contained and a consecutive number.

(7) There shall be noted on the outside of each cheque book an order for its personal custody under lock and key by the Secretary to the Cantonment Committee; and when such officer is relieved, he shall take a receipt for the number of cheque forms made over to the relieving officer and shall send to the treasury a specimen of the signature of the relieving officer.

(8) No cheque shall be current for more than three months from the date on which it was drawn. After the expiration of that period payment will be refused at the treasury, and it shall be necessary for the person in whose favour the cheque was drawn to return it. In the event of a cheque being so returned, no fresh cheque will be issued out the lapsed cheque shall be re-dated, and the alteration initialled by the Secretary to the Cantonment Committee, a note of the fact of re-dating being entered in the register of payments against the original transaction.

37. (1) The cantonment authority shall, where it has not already done so, draw from the treasury a sum not exceeding three hundred rupees to form an imprest for the purpose of meeting petty payments.

(2) The amount of petty payments met out of the imprest shall be recouped by cheque on the last day of each month, and, if necessary, during the month also, so that the full amount of the imprest, *plus* any sum received too late for remittance to the treasury on the last day of the month shall always be shown in the monthly accounts as being in the hands of the cantonment authority.

Overdrafts.

38. Overdrafts on the cantonment fund shall be allowed only if sanctioned by the Resident.

Receipts.

39. (1) All moneys received for credit to the cantonment fund shall be entered in a register of receipts to be kept in Form 1 in Schedule I either directly, or through a subsidiary register, and, with the exception of fines shall be acknowledged by receipts in Form 2 in the said schedule.

(2) All receipts granted by way of acknowledgment under sub-section (1) shall bear printed numbers in a consecutive series for each kind of receipt and the number of every receipt so granted shall be entered in the second column of the register of receipts or in the appropriate column of a subsidiary register.

Responsibility of cantonment authority as to receipts.

40. The cantonment authority shall be responsible for making such arrangements as will secure—

- (a) that all moneys received for credit to the cantonment fund are duly brought to credit in the accounts;
- (b) that all moneys so received, with the exception of fines, are duly acknowledged by receipts in the form prescribed by section 39; and
- (c) that whenever a receipt is given, the foil and counterfoil are duly filled up.

Account of the Imprest.

41. An account of the imprest shall be kept in an imprest-register in Form 6 in Schedule I, and the expenditure recorded in it shall be entered in a register of payments to be kept in Form 5 in the said schedule, when a bill for the recoupment of the amount is made out and the amount is drawn from the treasury by cheque.

Imprest Register.

Bills for expenditure.

42. (1) Every item of expenditure shall be entered in a bill of one of the following kinds, namely:

Expenditure to be entered in bill.

- (a) an establishment pay bill—for the pay of members of the cantonment establishment;
- (b) a travelling allowance bill—for the travelling allowances of members of the cantonment establishment; or
- (c) a contingent bill—for all charges other than the pay and travelling allowances of members of the cantonment establishment.

(2) Every establishment pay bill and every travelling allowance bill shall be prepared in the form for the time being prescribed by the Civil Account Code.

(3) Every contingent bill shall contain full details of the charges incurred.

43. (1) Claims for supplies or services by contractors or tradesmen shall be paid on bills presented by them.
Claims by contractors or tradesmen.

(2) Where any such claim as aforesaid is paid by cheque, the payment shall be at once entered in the register of payments and, where it is paid in cash, the payment shall be entered in the imprest register.

(3) Where a contractor or tradesman presents his bill in the vernacular, a brief abstract shall be endorsed thereon in English stating the amount, the name of the payee, and the nature of payment in the terms prescribed by Article 9 (b) of the Civil Account Code.

44. (1) All petty charges to be met from the imprest shall be entered in bills prepared in the form for the time being prescribed by the Civil Account Code.
Petty charges to be met from the imprest.

(2) Such bills as aforesaid shall be supported—

(a) in the case of a payment for a telegram or of any other sum exceeding ten rupees, by the original voucher on which the payment was actually made; and

(b) in other cases, by a certificate that the receipts of the payees have, as far as possible, been obtained, and have been so destroyed, defaced, or mutilated that they cannot be used again.

(3) The certificate referred to in clause (b) of sub-section (2) shall be signed by the Secretary to the Cantonment Committee.

45. (1) All charges incurred direct by the cantonment authority and paid by cheque shall be entered in bills prepared in the form for the time being prescribed by the Civil Account Code.
Charges incurred direct by cantonment authority.

(2) The following certificate shall be recorded at the foot of every such bill, and signed by the Secretary to the Cantonment Committee, namely—
Certificate on certain bills.

"I certify that the expenditure charged in this bill could not, with due regard to the interest of the cantonment be avoided. I have satisfied myself that the charges entered in this bill have really been paid."

(3) In the case of expenditure on public works, the usual completion certificate shall be furnished.

Entry of Cheques in Accounts.

46. All payments made by cheque shall be entered in the register of payments the vouchers being numbered in a monthly consecutive series.
Entry of payments by cheque.

47. Where a cheque is cancelled, the amount thereof shall be deducted from the expenditure by a *minus* entry in the appropriate column of the register of payments. The deduction shall then pass into the cash book through the daily total of payments carried into it.
Deduction of amount of cancelled cheques.

Accounts and Returns.

48. The cantonment authority shall keep a cash book in Form 7 in Schedule I. The cash book shall be balanced monthly, and the balance shown in it reconciled with that shown in the pass book to be kept in Form 3 in the said schedule as follows :
Cash book.

Balance as per pass book

Add—

Amount of imprest

Money received too late for remittance to treasury

Total

Deduct—Outstanding cheques, as per details below :

Balance as per cash book

Cheques outstanding on—

No. Date Amount.

" " "

Total

49. (1) In the registers of receipts and payments the amounts sanctioned in the budget estimate for the year shall be entered at the top of the columns for the heads for which separate estimates are made.

Entry of budget estimates in registers of receipts and payments.

(2) Where during the year, or in any revised estimate which may be sanctioned for the year, any addition to or alteration in the budget estimate is made, such addition or alteration shall be noted in the appropriate register in red ink with a *plus* or *minus* sign, the order therefore being cited.

50. (1) At the end of each month the figures in the registers of receipts and payments shall be added up, the totals up to the end of the last preceding month being added to those of the month just expired, and grand totals being made from the first day of April last preceding.

Total of receipts and payments to be ascertained monthly.

(2) Where the grand total under any head in the register of payments shows that the budget grant is likely to be exceeded, application shall at once be made for orders under section 30, clause (b), or section 33, as the circumstances may require, to cover the excess.

51. (1) The accounts of the cantonment fund will be audited locally by the staff of the Examiner, Local Fund Accounts, on behalf of the Accountant-General, Madras, every year.

Audit of accounts.

To facilitate audit, all vouchers, with all sub-vouchers above Rs. 10 attached to them, should be numbered in monthly series, and filed in separate files for the several months. These vouchers, all registers maintained in the Cantonment Office, and all other documents required for purposes of audit, should be produced whenever called for by the auditors, and any explanation required by those officers for the settlement on the spot of objections raised should be furnished without delay.

(2) The Examiner of Local Fund Accounts will submit a report on the audit to the Accountant-General who will forward copies thereof with his remarks to the President, Cantonment Committee, the Officer Commanding the Division, the Quarter-Master General in India and the Resident at Hyderabad for necessary action.

The audit report should contain the following certificate :—

"Certified that a copy was kept in my office of the annual account for the year submitted to the Officer Commanding the Division, with my endorsement No. , dated , and that the account has been compared with local records and found correct subject to the following remarks."

(3) The Examiner of Local Fund Accounts will inspect the cantonment fund offices during his tours of inspection to ascertain if the past audits by his staff have been properly conducted and to see if the accounts of the fund are being kept according to the prescribed rules. He should also advise the cantonment authorities on financial matters generally if necessary.

(4) All cases of fraud or embezzlement should at once be reported to the Accountant-General who will at his discretion depute an auditor to investigate into the case and report to the Officer Commanding the Division and the Resident at Hyderabad, the result of the enquiry.

52. (1) The cantonment authority shall prepare annually a consolidated account showing the receipts into, and payments from, the cantonment fund, classified under the major heads, minor heads, and sub-heads contained in the monthly accounts.

Annual consolidated account.

(2) The total of the details under each head of receipts and payments, as given in the consolidated account, shall agree exactly with the figures appearing against the entry "from 1st April to date" under the same heads in the respective registers.

(3) The consolidated accounts shall be forwarded in triplicate to the Examiner of Local Fund Accounts who will compare the three copies, and forward one copy to the Officer Commanding the Division, one to the Resident at Hyderabad retaining the third copy in his own office for check by the local auditors during audit, with a view to furnishing the certificate of correctness.

Classification.

53. (1) All receipts into, and expenditure from, the cantonment fund, shall be classified in the monthly and annual accounts in accordance with form 8 in Schedule I.

Classification of receipts and expenditure.

(2) All expenditure shall be classified in the monthly accounts under the appropriate major heads, minor heads, and sub-heads with reference to the nature of the charge, whether specific budget provision exists or not; and no expenditure, which from its nature properly falls under one of the other prescribed heads, shall be classified under the head "Miscellaneous", on the ground that there is no specific budget provision for the charge.

Remittance to Treasury and Pass book.

54. The cantonment authority shall remit to the Hyderabad Residency Treasury all moneys received for credit to the cantonment fund.
All moneys to be remitted to treasury.

55. (1) Remittances to the treasury should, as far as possible, be made daily, save as regards collections received too late for remittance to the treasury. All moneys in hand on the last working day of each month shall be remitted on that day.
Procedure for remittances to treasury.

(2) Every remittance shall be accompanied by a chalan or invoice, and by a pass book. Provided that cash remittances may be made direct to the branch of the Bank of Bengal at Secunderabad, by means of a chalan in duplicate, of which one copy will be retained by the bank, to be forwarded to the Bank of Bengal at Hyderabad for transmission to the treasury officer.

(3) Whenever the pass book is received in the treasury under clause (2) the treasury officer shall enter in it particular of all remittances received and cheques paid up to date as recorded in his registers.

(4) The pass book shall be sent to the treasury on the last working day of each month whether or not there are any moneys to be remitted to the treasury on that day. The officer in charge of the treasury shall then close the pass book for the month, and enter therein in words the balance in hand, signing the entry.

56. (1) The cantonment authority shall from time to time examine the pass book and shall forthwith call the attention of the officer in charge of the treasury to any discrepancy appearing between the credits or debits shown therein, and those shown in its registers.
Supervision of pass book by cantonment authority.

(2) The pass book shall be written up only by the officer in charge of the treasury or by some member of his establishment, and no entries or marks shall be made therein by the cantonment authority or by any member of the cantonment establishment.

57. In addition to the forms above prescribed the cantonment authority shall maintain registers in the forms specified in Schedule II or in such other forms as may from time to time be prescribed by the Accountant-General, Madras.
Account forms for the cantonment.

Abstract statements of estimated and actual income and expenditure.

58. The Officer Commanding the Division shall forward to the Government of India in the Army Department, through the Quarter-Master General in India, and to the Resident :—
Abstract statements of estimated and actual income and expenditure.

(a) an abstract statement of the estimated income and expenditure of the cantonment fund ; and

(b) as soon as possible after the close of each financial year, a statement showing under the several heads and sub-heads of receipt and expenditure set forth in Form 8, Schedule I, the actual income and expenditure of the cantonment fund for the preceding financial year, together with a certificate showing that the closing cash balance of that fund, as shown in the annual account prescribed by section 52, has been compared with the balance as shown in the treasury pass book and found to be correct.

Submission of proposals as to taxation.

59. All proposals made by the cantonment authority for the imposition, abolition or modification of any tax shall be submitted, through the Commanding Officer of the Cantonment, to the Officer Commanding the Division for transmission to the Resident at Hyderabad.
Submission of proposals as to taxation.

CHAPTER V.

CONTRACTS.

60. Every contract made by the cantonment authority shall be executed on its behalf by the Cantonment Magistrate and Secretary to the Cantonment Committee.
Contracts by whom to be executed.

61. No lease or other contract which is to remain in operation for more than twelve months shall be executed on behalf of the cantonment authority without the previous sanction of the Resident at Hyderabad.

Sanction required to execution of contract to remain in operation for more than twelve months.

62. No contract for the execution of a work shall be executed on behalf of the cantonment authority unless it has been examined and approved of by the Executive Engineer:

Reference to Executive Engineer prior to execution of contracts for works.

Provided that, where a work is estimated to cost not more than five hundred rupees, the contract shall not be referred to the Executive Engineer unless the cantonment authority so directs.

63. The Cantonment Magistrate and Secretary to the Cantonment Committee as provided by section 60 shall not execute on behalf of the cantonment authority any contract the value or amount of which exceeds one hundred rupees without the previous sanction of the cantonment authority:

Sanction of Cantonment Committee required to execution of contracts exceeding one hundred rupees in value.

Provided that, in case of urgency, the Cantonment Magistrate and Secretary to the Cantonment Committee as aforesaid may, with the previous sanction of the President of the Cantonment Committee, execute on behalf of the Cantonment Committee any contract the value or amount of which exceeds one hundred rupees, but does not exceed two hundred rupees, and shall, in every such case, submit to the cantonment committee, at its next meeting, a report of his action and of the reasons therefor.

64. Every contract executed on behalf of the cantonment authority the value or amount of which exceeds fifty rupees, except a contract for the sale of moveable property, shall be in writing; and if the contract is for the execution of a work, it shall be prepared in the form in use for that purpose in the Public Works Department under the orders of the Resident at Hyderabad.

Form of contract exceeding fifty rupees in value.

65. (1) The cantonment authority may direct that security be required for the fulfilment of any contract to be executed on its behalf, and that the whole or any part of the security be deposited before the contract is executed.

Security for fulfilment of contract.

(2) Where any security is required under sub-section (1), it shall be of the nature specified in section 24, sub-section (2), and shall be of such amount as the cantonment authority may think fit.

(3) Where any security required as aforesaid has been given, the contract shall not be executed unless—

(a) it contains a clause specifying the nature and the amount of the security required; and

(b) any sum directed to be deposited has been lodged with the cantonment authority.

66. Nothing in this chapter shall apply to any lease of land for the purposes of a building site.

Saving of leases for building sites.

66-A. Notwithstanding any thing in this Code Government land in a Cantonment may be occupied by a Government Department on such terms and conditions and subject to such restrictions as the Governor-General in Council may by general or special order prescribe.

Saving in favour of Government.

CHAPTER VI.

NUISANCES AND SANITATION.

Nuisances.

Offences in road or public place.

67. (1) Whoever,—

(a) in any street or public place within the cantonment,—

- (i) is drunk and disorderly, or drunk and incapable of taking care of himself; or
- (ii) uses any threatening, abusive or insulting words, or behaves in a threatening or insulting manner, with intent to provoke a breach of peace, or whereby a breach of the peace is likely to be occasioned; or
- (iii) exposes himself, or wilfully and indecently exposes his person; or
- (iv) begs importunately for alms; or
- (v) exposes or exhibits, with the object of exciting charity, any deformity or disease or any offensive sore or wound; or
- (vi) carries meat exposed to public view; or
- (vii) is found gaming; or

- (viii) Pickets animals or collects carts ; or
- (ix) being engaged in the removal of night-soil or other offensive matter or rubbish, neglects to sweep away or otherwise effectually remove any portion thereof that may spill or fall on to such street or public place ; or
- (x) without proper authority, affixes or causes to be affixed, any bill, notice or other document upon any building, monument, post, wall, fence, tree or other thing ; or
- (xi) without proper authority, defaces, or writes upon, or otherwise marks any building, monument, post, wall, fence, tree or other thing ; or
- (xii) without proper authority, removes, destroys, defaces or otherwise obliterates any notice or other document put up or exhibited under this Code ; or
- (xiii) without proper authority, breaks, throws down or damages any direction-post, lamp, lamp-post or other thing maintained by the cantonment authority, in such street or public place ; or
- (xiv) carries a corpse, or causes the same to be carried, without keeping it decently covered, or without taking due precaution to prevent risk of infection or injury to the public health, or annoyance to passers-by or to persons dwelling in the neighbourhood ; or
- (xv) carries night-soil or other offensive matter or rubbish at hours or by roads prohibited by the cantonment authority by public notice, or in any pattern of cart or receptacle which has not been approved for the purpose by the cantonment authority, or who fails to close such cart or receptacle when in use ; or
- (b) carries a corpse along a route prohibited by the cantonment authority by public notice ; or
- (c) deposits, or permits his servant to deposit, earth or materials of any description or any offensive matter or rubbish in any place not intended for the purpose on any street or public place, or waste or unoccupied land under the management of the cantonment authority ; or
- (d) having charge of a corpse, fails to bury, burn or otherwise lawfully dispose of the same within twenty-four hours after death ; or
- (e) makes any grave, or buries or burns any corpse, at an unauthorised place ; or
- (f) having entered or used a public conveyance under the circumstances or for any of the purposes mentioned respectively in section 189, fails to disinfect the same to the satisfaction of the cantonment authority ; or
- (g) keeps or uses, or knowingly permits to be kept or used, any place as a common gaming-house, or assists in conducting the business of any common gaming-house ; or
- (h) wilfully intrudes upon a place set apart for bathing purposes and incommodes persons lawfully using the same ; or
- (i) at any time or place prohibited by the cantonment authority by general or special notice, beats a drum or tom-tom, blows a horn or trumpet, or beats or sounds any brass or other instrument or utensil, or plays any music ; or
- (j) by singing, screaming, whistling or shouting, disturbs the public peace or order ; or
- (k) discharges fire-arms, or lets off fire-works, or fire-balloons, or flies kites, or engages in any game, in such a manner as to cause or be likely to cause danger or annoyance to persons passing by or dwelling or working in the neighbourhood, or risk of injury to property ; or
- (l) lets loose any horse or other animal so as to cause, or negligently allows any horse, or other animal to cause, injury, danger, alarm or annoyance to any person ; or
- (m) suffers any ferocious dog to be at large without a muzzle ; or
- (n) sets on or urges any dog or other animal to attack, worry or put in fear any person ; or
- (o) being the owner or person in charge of any dog or other animal, knows or has reason to believe, that such dog or animal has been bitten by an animal suffering or reasonably suspected to be suffering from rabies, and neglects to give immediate information of the fact to the Cantonment Magistrate, or gives information which is false ; or
- (p) being the occupier of any building or land in or upon which an animal dies, neglects, within three hours after the death of the animal or, if the death occurs at night, within three hours after sunrise, either—
to report the death to the Cantonment Magistrate or to some officer (if any) appointed by him to receive such reports with a view to the removal and disposal of the carcass by the public conservancy establishments ; or
to remove and dispose of the carcass in accordance with any general directions given by the cantonment authority by notice, or any special directions given by the Cantonment Magistrate on receipt of such report as aforesaid ; or

(g) except with the written permission of the cantonment authority, stores or uses night-soil, manure, rubbish or any other substance emitting an offensive smell ;
or

(r) uses or permits to be used as a latrine any place not so meant to be used ;

shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

(2) Whoever does not take reasonable means to prevent any child under the age of 12 years in his charge from easing himself in any street or public place within the cantonment, shall be punishable with fine which may extend to twenty-five rupees.

Destruction of stray dogs at appointed periods.

68. (1) The cantonment authority, by any person authorised by it in this behalf, may—

- (a) destroy, or cause to be destroyed, or confine, or cause to be confined, for such period as the cantonment authority may direct, any dog suffering, or reasonably suspected to be suffering from rabies, or bitten by any dog or other animal suffering or suspected as aforesaid ;
- (b) confine, or cause to be confined, any dog found wandering about streets or public places without collars or other marks distinguishing them as private property, and charge a fee for such detention, and destroy or otherwise dispose of any such dog if it is not claimed within one week, and the fee paid ;
- (c) appoint from time to time by public notice, certain periods within which any ownerless dogs or any dogs without collars or any other marks distinguishing them as private property found straying on the streets or beyond the enclosures of houses of the owners of such dogs, may be destroyed, and destroy or cause them to be destroyed accordingly.

(2) No damages shall be payable in respect of any dog destroyed or otherwise disposed of under this section.

(3) Whoever being the owner or person in charge of any dog, neglects to restrain it so that it shall not be at large in any public place without a muzzle of such pattern as may be prescribed by the cantonment authority, or without being confined in a chain, if the cantonment authority has by public notice during the prevalence of rabies directed that dogs shall not be at large without muzzles or chain leads, shall be punishable with fine which may extend to twenty rupees.

Explanation.—In this section the word “house” includes a hut, shop, warehouse or building.

Sanitation.

69. The following officers shall, for the purpose of sanitation, have control over, and be responsible for, the sanitary condition of the parts of the cantonment hereinafter indicated, namely :

Division of responsibility for sanitation.

- (a) each Commanding Officer—his regimental lines, including the regimental bazar, and all latrines used by the troops and followers under his command or control ;
- (b) the Executive Engineer—all yards, works, workshops and other places used by establishments under his charge ;
- (c) the Senior Supply and Transport Officers—all cattle-yards, slaughter-houses, transport-lines, and other places used by establishments under their charge ;
- (d) the head of any other Military or Civil Department occupying, as such, any part of the cantonment—all blocks of buildings, workshops and other places used by establishments under his charge ;
- (e) each Medical Officer placed in charge of a Sanitary District under the Secunderabad and Bolaram Standing Orders—the area in his charge ;
- (f) the Cantonment Magistrate—the Sadar Bazar, all streets, and all other parts of the cantonment not under the control of any officer mentioned in clauses (a) to (e).

70. (1) Every officer mentioned in section 69 shall forward to the cantonment authority a weekly sanitary report stating that the parts of the cantonment over which he has control as aforesaid

Weekly sanitary report.

have been inspected by him, and are, in his opinion, in a sanitary condition or otherwise, as the case may be.

(2) Where any such officer as aforesaid reports that any part of the cantonment under his control is not, in his opinion, in a sanitary condition, he shall specify the defects, and may make such suggestions for remedying the same as he may think fit.

71. The Sanitary Officer shall exercise a general sanitary supervision over the whole cantonment, shall report every insanitary practice and every insanitary condition of things, whenever

General duties of Sanitary Officer.

or wherever existing therein, both to the officer responsible under section 69 and to the cantonment authority, and shall attach to his report such recommendations for the remedy of the same as he may think fit.

Cantonment Magistrate's duties in respect of sanitation.

72. The Cantonment Magistrate shall, subject to the other provisions of this Code and the control of the cantonment authority,—

- (a) make, and supervise the carrying out of, all arrangements (including the provision and maintenance of a sufficient number of animals, vehicles, receptacles, and implements, and of places for keeping the same) necessary for—
- (i) the removal of night-soil and other offensive matter and rubbish from latrines, urinals, streets and all other places, public and private, from which the removal of the same by the public conservancy establishments is directed by the cantonment authority;
- (ii) the surface cleansing of all streets and the watering thereof; and
- (iii) the maintenance in a sanitary condition of public and private latrines and urinals of encamping grounds and sarais, of public and private markets and slaughter-houses, of fair-grounds, of all sources of public water-supply and the lands in the vicinity thereof, of all other places likely to create a nuisance, and, generally, of every part of the cantonment other than the parts mentioned in clauses (a) to (d) of section 69;
- (b) make frequent inspections of all parts of the cantonment with a view to ensuring that all orders of the cantonment authority on sanitary matters are duly obeyed, and that the public conservancy establishments satisfactorily perform their duties; and
- (c) take all necessary steps for remedying any defects in the sanitary condition of the cantonment of which he may become aware and for which funds can be provided.

73. (1) So far as the funds at its disposal permit, the cantonment authority shall provide and maintain a sufficient number of public latrines and urinals, with all necessary conservancy establishments.

Provision and maintenance of public latrines and urinals and conservancy establishments.

(2) Such latrines and urinals shall be placed in proper and convenient situations, as near as circumstances admit to the dwelling places or places of resort of the persons for whose use they are intended:

Provided that, except with the previous sanction of the Resident at Hyderabad so far as the bazars are concerned, and of the Commanding Officer of the Cantonment so far as the rest of the cantonment is concerned, no latrine or urinal shall be placed within fifty feet of any inhabited building.

(3) Separate latrines and urinals shall ordinarily be provided for males and females, or if any latrine or urinal is provided for the use of both sexes, separate divisions shall be provided for each sex, and each such latrine, urinal or division shall be marked as being for the use of men only, or women only, as the case may be.

Directions as to provision of public latrines and establishments therefor.

74. (1) In providing public latrines the cantonment authority shall observe the following directions, namely:

- (a) such number of latrines shall be provided as will admit of there being one compartment for the use of every fifteen adults using the latrines;
- (b) no latrine shall be constructed for the use of more than five hundred adults;
- (c) every latrine shall be provided with proper closed iron receptacles in the proportion of not less than two for every hundred adults using the latrine, and with not less than one iron or glazed earthen pan for each compartment;
- (d) for every latrine, there shall be provided,—
 - (i) for the cleansing thereof, sweepers in the proportion of not less than one for every hundred adults using the latrine, and
 - (ii) for the removal of night-soil therefrom, air-tight iron filth-carts in the proportion of not less than one for every five hundred adults using the latrine, or, where carts cannot be used, sweepers in the proportion of not less than three for every five hundred adults using the latrine.

Provided that, if in any case it is impracticable, owing to want of funds or for any other sufficient reason, fully to observe the foregoing directions, the Resident at Hyderabad after consultation with the Commanding Officer of the Cantonment, may declare the extent to which they shall be observed.

(2) No public latrine shall be constructed or rebuilt except on a plan approved of by the Resident at Hyderabad after consultation with the Commanding Officer of the Cantonment.

75. The cantonment authority shall, whenever necessary, provide and maintain in proper and convenient positions receptacles or places for the temporary deposit of offensive matter and rubbish.

Places for disposal of offensive matter and rubbish.

76. The cantonment authority shall appoint places for the disposal of night-soil, carcasses and other offensive matter and rubbish.

Cesspools, receptacles for filth, &c.

77. The Cantonment Magistrate may, by notice in writing,—

- (a) require any person having the control, whether as owner, lessee or occupier, of any land or building—
 - (1) to close any offensive cesspool belonging to the land or building, or
 - (2) to provide a receptacle (of a pattern, if any, approved of by the cantonment authority) for filth or sullage water accumulating on or in the land or building, or
 - (3) to keep in a cleanly condition (in such manner, if any, as may be prescribed by the notice), any receptacle provided for such filth, or
 - (4) to prevent the water of any private latrine, urinal, sink or bathroom, or any other offensive matter, from soaking, draining, flowing or being put from the land or building upon any street or public place or into any water course or into any drain not intended for the purpose; or
- (b) require any person who has the control, whether as owner, lessee or occupier, of any land or building, and has allowed any offensive matter or rubbish to accumulate or remain thereon or therein, to collect the same and deposit it, for removal by the public conservancy establishment, at such times and in such receptacles or places situate at not more than one hundred feet from the nearest boundary of the premises, as may be specified in the notice; or
- (c) require any person to desist from making or altering any drain leading into a public drain; or
- (d) require any person who is creating or likely to create a nuisance by—
 - (1) altering, obstructing or encroaching upon a public drain, or
 - (2) impeding the flow of water owing to the absence of a culvert or the existence of an insufficient culvert under a path leading to his premises, to desist therefrom; or
- (e) require any person having the control of a drain to remove, within a period to be specified in the notice, any obstruction from the same, or to cleanse, purify, repair or alter the same or otherwise put it in good order; or
- (f) require any person, being the owner or having the control of any well, to disinfect or otherwise purify the same or protect it against contamination, in such manner and within such period as may be specified in the notice.

Private latrines.

78. The cantonment authority may, by notice in writing,—

- (a) require the owner or other person having the control of any private latrine or urinal not to put the same to public use; or
- (b) where any plan for the construction of private latrines or urinals has been approved of by the cantonment authority and copies thereof may be obtained free of charge on application—
 - (1) require any person repairing or constructing a private latrine or urinal not to allow the same to be used, until it has been inspected by or under the direction of the Cantonment Magistrate, and approved of by him as conforming with that plan, or
 - (2) require any person having the control of a private latrine or urinal to rebuild or alter the same in accordance with that plan; or
- (c) require the owner or other person having the control of any private latrine or urinal which, in the opinion of the cantonment authority, creates a nuisance, to remove the latrine or urinal, and to substitute fresh earth, to such a depth, not exceeding two feet, as may be specified in the notice, for the earth on which the latrine or urinal stood; or
- (d) require any person having the control, whether as owner, lessee or occupier, of any land or building,—
 - (1) to have any latrine provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling or working in the neighbourhood, or
 - (2) to cleanse with deodorants any latrine or urinal belonging to the land or building; or
- (e) where any land or building is situate within one hundred feet of a public drain or other place set apart for the discharge of drainage and the drains belonging to the land or building are, in the opinion of the cantonment authority, insufficient, require any person having control of the land or building whether as owner or lessee, or, in the case of neighbouring lands or buildings, the several lessees or owners having control of the lands or buildings conjointly, to provide sufficient drainage within fifteen days from service of the notice; or

(f) require any person who is constructing or laying a drain to obey any directions which the cantonment authority may, on the advice of the Executive Engineer, think fit to give in order to ensure the completion of the work to its satisfaction; or

(g) require any person being the owner and having the control of any drain, to provide and apply to the same, within ten days from the service of the notice, such covering as may be specified in the notice.

79. (1) The cantonment authority may, by notice in writing, require the owner or lessee of any building or land, in such manner as may be specified in the notice, to remove or provide

Provision of latrines, etc.

any latrine, urinal, cesspool or other receptacle for filth, or to provide any additional latrines, urinals, cesspools or other receptacles, as aforesaid which should, in its opinion, be provided for the building or land.

(2) The cantonment authority may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit, and to cause the same to be kept in proper order and to be daily cleansed.

80. (1) The cantonment authority may provide for the performance by its agents of the duties usually performed by sweepers in respect of any building or land, or of any latrine, urinal,

Employment of public sweepers.

cesspool or other receptacle for filth or sullage water pertaining to any building or land, with the consent of the occupier of the building or land, or without such consent where the occupier fails to make arrangements to the satisfaction of the cantonment authority for the performance of such duties.

(2) Where the cantonment authority has provided for the performance by its agents of the duties referred to in this section, all matter removed by such agents in performing such duties shall be at the disposal of that authority.

81. The cantonment authority may, by notice in writing, require the owner, lessee or occupier of any land to clear away and remove any thick or noxious vegetation or undergrowth which

Removal of noxious vegetation.

appears to it to be injurious to health or offensive to the neighbourhood.

82. Where any tank, marshy ground or waste or stagnant water, whether within any private enclosure or not, is in such a condition as to create a nuisance, the cantonment authority

Filling up of tank or marshy ground or draining off or removal of stagnant water.

may, by notice in writing, require the owner, lessee or occupier of the land, within thirty days from the service of the notice, to fill up the tank or ground, or to drain off or remove the water, as the case may be :

Provided that if, in the opinion of the cantonment authority, it is unreasonable to throw the whole expense on the owner, lessee or occupier, it may, with the previous sanction of the Resident at Hyderabad, after consultation with the Commanding Officer of the Cantonment, require him to pay only a proportion of the expense.

83. (1) Where it appears to the cantonment authority that any block of buildings is, by reason of the manner in which the buildings are crowded together, in an unhealthy condition, it may

Removal of over-crowded buildings.

cause the block to be inspected by a special committee consisting of—

(a) the Sanitary Officer,

(b) some other medical officer of the Government, and

(c) the Executive Engineer, or some person deputed by the Executive Engineer in this behalf.

(2) The special committee shall make a report in writing to the cantonment authority on the sanitary condition of the block ; and, if it considers that the over-crowded condition thereof is likely to cause risk of disease to the inhabitants of the buildings, or of the neighbourhood, or to endanger the public health, it shall clearly indicate, on a plan verified by the Executive Engineer, or by the person deputed by him to serve on it, the buildings which should, wholly or in part, be removed in order to abate the unhealthy condition of the block.

(3) If, upon receipt of such report, the cantonment authority is of opinion that all or any of the buildings indicated should be removed, it may by notice in writing, require the owners thereof to remove them :

Provided, first, that the cantonment authority shall make compensation to such owners for any buildings which may have been erected under proper authority : and

Provided, secondly, that the cantonment authority may, if it appears to it to be equitable under the circumstances to do so, pay to such owners such sum as it may think fit as compensation for any buildings which may not have been erected under proper authority.

(4) The sum payable as compensation under the first proviso to sub-section (3) may be settled by mutual agreement between the cantonment authority and such owners, as aforesaid, or, in default of agreement, by a committee of arbitration constituted as provided in Chapter XX.

Explanation.—In this section, the word “buildings” includes enclosure walls or fences connected with buildings.

84. Where it appears to the cantonment authority that any building used as a dwelling is so over-crowded as to endanger the health of the inmates thereof, it may, after such inquiry as it thinks fit, by notice in writing, require the owner or occupier, within a time to be specified in the notice, to abate the over-crowding of the building by reducing the number of lodgers, tenants or other inmates.

85. (1) Whenever any building is so ill-constructed or dilapidated, or is in so insanitary a state, as, in the opinion of the cantonment authority, to be unfit for the purpose for which it was constructed, or is intended to be used, the cantonment authority may, by notice, require the owner of the building within a reasonable time to be specified in the notice, to make it fit for one or other of the purposes aforesaid.

(2) A copy of every notice, issued under sub-section (1) shall be conspicuously posted on the building to which the notice relates.

(3) Until such notice has been complied with, it shall not be lawful to use such building for any of the purposes aforesaid, and any person using such building in contravention of this section shall be liable to fine which such may extend to five rupees for every day during which such user continues.

Explanation.—A notice issued under sub-section (1) shall be deemed to have been complied with if the owner of the building to which it relates has, instead of executing the repairs or making the alterations directed by the notice, removed the building.

86. (1) The Cantonment Magistrate may, by notice in writing, require the owner, lessee or occupier of any building or land which appears to him to be in a filthy or unwholesome state, within twenty-four hours to cleanse the same or otherwise put in a proper state in such manner as may be specified in the notice.

(2) If within three months from the date of the service of a notice under sub-section (1) the Cantonment Magistrate finds any building or land in respect of which the notice was issued, in a filthy or unwholesome state, the owner, lessee or occupier shall be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupees.

87. Whoever fails to comply with a notice issued under any of the provisions of sections 77 to 86 shall be punishable with fine which may extend to fifty rupees, and, in the case of continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

Penalties.

CHAPTER VII.

CONTROL OVER STREETS, BUILDINGS, LAND, TREES, ETC.

Streets and Buildings.

88. The cantonment authority may attach to the outside of any building brackets for lamps in such manner as not to occasion any injury thereto or inconvenience.

Power to attach brackets for lamps.

89. The cantonment authority may, by order in writing, permit the temporary occupation of any street, or land vested in it, for the purpose of depositing any building materials or making any temporary excavation therein, or erection thereon, subject to such conditions as it may prescribe for the safety or convenience of persons passing by, or dwelling in the neighbourhood, and may charge fees for such permission, and may in its discretion withdraw the permission.

Temporary occupation of street, land, etc.

90. (1) The cantonment authority may cause a name to be given to any street, and to be affixed on any building in such place as it may think fit, and may also cause a number to be affixed to any building; and, may from time to time, cause such names and numbers to be altered.

Names of streets and numbers of buildings.

(2) Whoever destroys, pulls down or defaces any such name or number, or puts up any name or number differing from that put up by order of the cantonment authority, shall be punishable with fine which may extend to twenty rupees.

91. The cantonment authority may, by public notice, direct that within certain limits, to be fixed by the notice, the roofs and external walls of huts or other buildings shall not, without its permission in writing, be made or renewed of grass, mats, leaves or other highly inflammable materials, and may, by notice in writing, require any person who has disobeyed any such direction as aforesaid to remove or alter the roofs or walls so made or renewed, as it may think fit.

Roofs and external walls not to be made of inflammable materials.

92. (1) Whoever, except in such a case as is provided for by Chapter XXI, intends to erect or re-erect any building shall give notice in writing, in the manner hereinafter prescribed, of his intention to the cantonment authority; and the cantonment authority may within six weeks after the receipt of the notice, refuse to sanction the building, or may sanction it either absolutely, or subject to such directions as it may think fit to issue in writing in respect of all or any of the following matters, namely:

- (a) the free passage or way to be left in front of the building;
- (b) the space to be left about the building to secure free circulation of air and facilitate scavenging and the prevention of fire;
- (c) the ventilation of the building, the minimum cubic area of the rooms and the number and height of the storeys of which the building may consist;
- (d) the provision and position of drains, latrines, urinals, cesspools or other receptacles for filth;
- (e) the level and width of the foundation, the level of the lowest floor, and the stability of the structure;
- (f) the line of frontage with neighbouring buildings if the building abuts on a street; and
- (g) the means to be provided for egress from the building in case of fire;

and the person erecting or re-erecting the building shall obey all such written directions;

Provided that the cantonment authority shall make full compensation to the owner for any damage which he may sustain in consequence of the prohibition of the re-erection of any building, or of its requiring any land belonging to him to be added to the street:

Provided, further, that in case of land set apart as State, *sarf-i-khas* or *paigah* land and demarcated as such, the applicant shall, on behalf of himself, his heirs, executors, administrators, representatives and assigns, if the cantonment authority so direct, subscribe to the conditions stated in schedule VI, Form E, and the application shall be submitted finally for the orders of the Resident at Hyderabad, who may sanction the application on obtaining from the owner of the land an agreement in Form F in cases where the applicant is not the owner of the land.

(2) Whoever gives notice to the cantonment authority under sub-section (1) shall, along with the notice, forward a plan and specification of the building which he intends to erect or re-erect, together with a site-plan of the land, of such character and with such details as the cantonment authority may require; and no such notice shall be valid until such plans and specification have been supplied.

The notice shall specify the purpose for which it is intended to use the building.

(3) Where any building is begun or erected without the giving of the notice, and the submission of the plans and specification required by this section, or in contravention of any order of the cantonment authority issued within six weeks of the receipt of valid notice thereunder, the cantonment authority may by notice in writing, to be delivered within a reasonable time, require the building to be altered or demolished, as it may think necessary.

(4) Where the cantonment authority neglects or omits for six weeks after the receipt of a valid notice under this section to make and deliver to the person who has given the notice any order in respect thereof, it shall be deemed to have sanctioned the proposed building absolutely.

(b) Every sanction for the erection or re-erection of a building given or deemed to have been given by the cantonment authority as aforesaid, shall be available for one year from the date on which the notice became valid and complete, and no longer; and if the building so sanctioned is not begun by the person who has obtained the sanction, or some one lawfully claiming under him, within that period, it shall not thereafter be begun without fresh sanction; but such person as aforesaid may at any subsequent time give fresh notice to the cantonment authority in the manner hereinbefore prescribed, and thereupon the provisions hereinbefore contained shall apply to the fresh notice:

Provided that no sanction under section 92 shall act as a bar to any proceedings under sections 77 to 87.

Explanation.—In this section the expression “erect or re-erect any building” includes—

- (a) any material alteration or enlargement of any building;
- (b) the conversion into a place for human habitation of any building not originally constructed for human habitation;
- (c) the conversion into more than one place for human habitation of a building originally constructed as one such place;
- (d) the conversion of two or more places of human habitation into a greater number of such places;
- (e) The conversion into a stable, cattle-shed or cow-house of any building originally constructed for human habitation;

- (f) such alterations of the internal arrangement of a building as affect an alteration of its drainage or sanitary arrangements, or affect its security;
- (g) the addition of any rooms, buildings, out-houses or other structures to any building; and
- (h) the erection or re-erection of any boundary walls, hedges or fences.

93. (1) The owner or occupier of a building shall not, without the permission in writing of the cantonment authority, add to, or place against or in front of, the building, any projection or structure overhanging, projecting into, or encroaching on, any street, or into or on any drain, sewer or aqueduct therein.

(2) The cantonment authority may, by notice in writing, require the owner or occupier of any building to alter or remove any such projection or encroachment as aforesaid:

Provided that, in the case of any projection or encroachment lawfully in existence at the commencement of this Code, the cantonment authority shall make reasonable compensation for any damage caused by the removal or alteration.

(3) The cantonment authority may, by order in writing, give permission to the owners or occupiers of buildings in any particular street to put up open verandahs, balconies or rooms projecting from any upper storey thereof to an extent beyond the line of the plinth or basement wall, and at a height from the level of the ground or street, to be specified in the order.

94. The cantonment authority, may by notice in writing, require the owner or lessee of any building or land in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the building or land and for discharging the same so as not to inconvenience persons passing along the street.

95. The cantonment authority may, by notice in writing, require any person who has, without its permission in writing, newly erected or re-erected any building over any public sewer, drain, culvert, water-course or water-pipe, to pull down or otherwise deal with the same as it may think fit.

96. Where any building, well, tank, reservoir, pool, depression or excavation is, in the opinion of the cantonment authority, for want of sufficient repair, protection or enclosure, as the case may be, dangerous to persons passing by or dwelling or working in the neighbourhood, the cantonment authority may, by notice in writing, require the owner or occupier thereof to repair, protect or enclose the same; and if there is, in the opinion of the cantonment authority, imminent danger, it shall forthwith take such steps to avert the danger as it may think necessary.

97. Where any building, wall, or structure, or anything affixed thereto, or any bank or tree is, in the opinion of the cantonment authority, in a ruinous state or in any way dangerous either, in the case of an occupied building, to the occupier or to the public, the cantonment authority may, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made as it may think necessary for the safety of the occupier or of the public; and if there is, in the opinion of the cantonment authority, imminent danger, it shall forthwith take such steps to avert the danger as it may think necessary.

98. The Cantonment Magistrate may, by notice in writing, require the owner or part-owner, or person claiming to be the owner or part-owner of any building or land, or the lessee or person claiming to be the lessee of any land, which, by reason of abandonment or disputed ownership or other cause, has remained untenanted, and become a resort of idle and disorderly persons, or otherwise a nuisance, to secure or enclose the same within a time to be specified in the notice.

Boundaries, trees, etc.

99. (1) The cantonment authority may, by public notice, prohibit the construction of boundary-walls, hedges or other fences of any material or description which is, in its opinion, unsuitable, unsightly or otherwise objectionable.

(2) The cantonment authority may, by notice in writing, require the owner or lessee of any land—

- (a) to remove from the land any boundary-wall, hedge or other fence which is, in its opinion, unsuitable, unsightly or otherwise objectionable;
- (b) to construct on the land sufficient boundary-walls, hedges or other fences of such material, description and dimensions as may be specified in the notice;
- (c) to maintain the boundary-walls, hedges or other fences on the land in good order.

Explanation.—In this section the expression “boundary-walls, hedges or other fences” includes all necessary gates and the posts or pillars thereof.

100. The Cantonment Magistrate may, by notice in writing, require the owner, lessee or occupier of any land within three days to cut or trim any hedges on the land in such manner as may be specified in the notice.

101. No general felling of trees, and no general lopping or trimming of trees in a manner likely to cause permanent injury thereto, shall be ordered by the cantonment authority without the previous sanction of the Officer Commanding the Division, except in the case of State, *sarf-i-khas* and *paigah* lands within cantonment limits, in respect of which the Resident at Hyderabad shall be the sanctioning authority.

102. (1) No tree of mature growth, whether standing in any private enclosure or not shall be felled without the previous sanction of the cantonment authority.

(2) Where, in the opinion of the cantonment authority, the felling of any tree of mature growth standing in a private enclosure is necessary for sanitary reasons, the cantonment authority may, by notice in writing, require the owner, lessee or occupier of the land to fell the tree within a time to be specified in the notice.

Power to require lopping or trimming of trees. 103. The cantonment authority may—

- (a) cause to be lopped or trimmed any trees standing on land belonging to, or in the occupation of the Government or the cantonment authority, or
- (b) by public notice, require all owners, lessees or occupiers of land, or, by notice in writing, require the owner, lessee or occupier of any land, to lop or trim, in such manner as may be specified in the notice, all or any trees standing on such land, and to remove any dead trees from such land.

104. (1) Where, in the opinion of the cantonment authority, the cultivation of any description of crop, or the use of any kind of manure, or the irrigation of land in any specified manner, is for any reason undesirable, the cantonment authority may, by public notice, prohibit such cultivation, use, or irrigation after a certain date to be specified in the notice:

Provided that, if, when a notice is issued under this section, any land to which it relates has been lawfully prepared for cultivation, or any crop is sown therein or is standing thereon, the cantonment authority—

- (a) may, subject to such conditions as it may think fit to impose, postpone the date from which the notice is to take effect; or
- (b) may, if it appears to it to be equitable under the circumstances to do so, and whether or not it postpones the date from which the notice is to take effect, pay to any person interested in the land or crop such sum as it may think fit as compensation for any loss incurred by reason only of his having complied with the notice; and
- (c) shall, if it directs that the notice is to take effect without delay, make compensation to all persons interested in the land or crop for any loss incurred by reason only of their having complied with the notice.

(2) The sum payable as compensation under clause (c) of the proviso to sub-section (1) may be settled by mutual agreement between the cantonment authority and such person or persons as aforesaid, or, in default of agreement, by a committee of arbitration constituted as provided in Chapter XX.

105. The Cantonment Magistrate may, by notice in writing, require the owner, lessee or occupier of any land to abstain from the improper use of the same, whether by quarrying or by removing earth, sand, stone or gravel, or by digging a tank, well or pit, and may require him by notice in writing, to restore the land to the condition it was in, previous to such improper use:

Provided that, where such use of the land has continued for 30 days, the owner, lessee or occupier shall not be required so to restore the land to its previous condition

106. Whoever, without the permission in writing of the cantonment authority, digs up the surface of any public land shall be punishable with fine which may extend to twenty rupees.

Penalties.

107. Whoever fails to give notice as required by section 92 (1) or fails to comply with any notice issued under this Chapter shall be punishable with fine which may extend to fifty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

CHAPTER VIII.

CONTROL OVER SARAIS, ENCAMPING GROUNDS, TRAFFIC, ETC.

*Sarais.**Duties of keepers of Sarais.*

108. (1) Every keeper of a sarai shall be bound,—
- (a) if to his knowledge any person in the sarai is ill of any infectious or contagious disorder, or has died of any such disorder, to make an immediate report of the fact to the Cantonment Magistrate;
 - (b) to maintain a sufficient supply of pure water for the use of persons frequenting the sarai;
 - (c) to keep all parts of the sarai in a clean and sanitary condition; and
 - (d) to give any information which the Cantonment Magistrate may, by notice in writing, require regarding—
 - (i) the boundaries of the sarai, and
 - (ii) any matters affecting its management and condition.

(2) Whoever fails to give the Cantonment Magistrate any information required under this section, or wilfully gives him false information, shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

109. (1) The Cantonment Magistrate may, by notice in writing, require any keeper of a sarai to report to him, or to any person whom he may appoint in this behalf, either orally or in writing as may be directed in the notice, the name and description, or the names and descriptions, of any person or persons who resorted to the sarai during any period to be specified in the notice.

(2) Where a written report is required, the form in which the same is to be furnished may be specified in the notice.

(3) Whoever fails to comply with any notice issued under this section, or wilfully makes a false report thereunder, shall be punishable with fine which may extend to twenty rupees, and in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

110. (1) Where the keeper of a sarai commits a breach of any of the provisions of sections 108 and 109, the cantonment authority may, in addition to any punishment which may be inflicted thereunder, by notice in writing, require that the sarai be closed to the use of the public.

(2) A notice issued under sub-section (1) shall be cancelled and cease to have effect if the keeper of the sarai satisfies the cantonment authority that no such breach as aforesaid would be likely to occur in the event of the sarai being re-opened to the use of the public.

111. The provisions of sections 108, 109 and 110 shall not apply if the Sarais Act, 1867, shall hereafter be applied to the Cantonment. X.
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Encamping grounds, etc.

112. (1) No place in the cantonment shall be used as an encamping ground or for the pitching of tents without the permission in writing of the cantonment authority.

(2) Such permission as aforesaid may be granted subject to any conditions which the cantonment authority may think fit to impose with respect to sanitary arrangements and other matters affecting the public health, safety or convenience.

Markets and Slaughter-houses.

113. No person shall in any market sell, or expose for sale, any article of food or drink for human consumption which is unfit therefor.

114. (1) The cantonment authority may, by public notice, limit the hours during which any market may be kept open for public use.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted in each market to which the notice relates.

Sanitary Officer and Cantonment Magistrate to inspect markets. 115. The Sanitary Officer and the Cantonment Magistrate shall frequently inspect—

- (a) articles of food and drink for human consumption kept for sale in markets;
- (b) the water-supply of markets;

(c) the arrangements for the removal and disposal of offensive matter and rubbish from markets; and

(d) all other arrangements for maintaining markets in proper sanitary condition.

116. The cantonment authority may, by public notice, prohibit the sale, or exposure for sale, of any animal or article, or class of animals or articles in any public market.

117. Where the owner or the person in charge of a private market applies for a license therefor, such license shall be granted on payment of the prescribed fee, if any, by the Cantonment Magistrate, on his being satisfied—

(a) that convenient passages have been provided between the shops, stalls, sheds or standings in the market;

(b) that a sufficient supply of pure water is provided for the market;

(c) that, in the case of a large market, one or more public latrines, at a distance of not less than fifty yards from the market, and one or more public urinals, according to requirements, are provided for the use of persons frequenting the market; and

(d) that suitable arrangements are made for—

(i) keeping the market in a clean and sanitary condition and removing offensive matter and rubbish therefrom;

(ii) the proper ventilation of the buildings and structures in the market; and

(iii) the proper maintenance of the public latrines and urinals (if any), provided for the use of persons frequenting the market.

118. No private market shall, after the commencement of this Code, be opened to public use until it has been licensed.

New private markets to be licensed.

Power to require existing private markets to be licensed.

119. (1) The cantonment authority may require,—

(a) by notice in writing, the owner of the person in charge of any private market in existence at the commencement of the Secunderabad Cantonment Code, 1903;

or

(b) by public notice, the owners or the persons in charge of any class of such markets,

to furnish, within a time to be specified in the notice, any information which may be needed for the purpose of determining whether a license should be required for any such market.

(2) On the expiration of such time as aforesaid, the cantonment authority shall determine in respect of each market to which the notice relates, whether or not it is necessary to require a license.

(3) Where the cantonment authority determines that a license shall be required for any such market, and a license therefor either is not applied for or is refused, the cantonment authority may, by notice in writing, require the owner or the person in charge of the market to close the same until a license has been obtained.

Duties of owners or persons in charge of licensed markets.

120. The owner or the person in charge of a licensed market shall be bound—

(a) to maintain convenient passages between the shops, stalls, sheds or standings in the market;

(b) to maintain a sufficient supply of pure water for the market;

(c) to keep the market in a cleanly and sanitary condition and to remove all offensive matter and rubbish therefrom; and

(d) to maintain in good order any public latrines or urinals which may have been provided for the use of persons frequenting the market.

121. (1) Where the owner or the person in charge of a licensed market commits a breach of any of the provisions of section 114 and 120

Power to suspend or withdraw licenses for markets.

the cantonment authority may, in addition to any punishment which may be inflicted under this

Code, by order in writing, suspend the license for any period to be specified in the order, or withdraw the license.

(2) No market for which a license has been granted under this Chapter shall be kept open for public use while the license therefor is suspended or after the same has been withdrawn.

(3) A copy of every order made under sub-section (1) shall be conspicuously posted in the market to which the order relates.

122. The Cantonment Magistrate shall maintain a register of all private markets which have been licensed under this Chapter, showing—

- Register of private markets.
- (a) the date on which the license was issued, and
 - (b) where the license has been suspended, the date and period of the suspension, or
 - (c) where the license has been withdrawn, the date of the withdrawal.

123. Whoever, knowing that a license granted for a private market is for the time being suspended or has been withdrawn, sells or exposes for sale therein any meat, fish, milk, fruit, vegetables or other perishable articles of food for human consumption, shall be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupees.

124. (1) Subject to the provisions of sub-section (2), no person shall, without or otherwise than in conformity with the terms of a license granted by the Cantonment Magistrate in this behalf, use any place as a slaughter-house or for the slaughtering of any cattle, sheep, goats or pigs intended for human food.

(2) Nothing in sub-section (1) shall be deemed—

- (i) to restrict, subject to such conditions as to prior or subsequent notice, as the Cantonment Magistrate with previous sanction of the Resident may, by general or special order, impose in this behalf, the slaughter of any animal in any place on the occasion of any festival or ceremony; or
- (ii) to prevent the Cantonment Magistrate, acting with the sanction of the cantonment authority, from setting apart places for the sacrifice of animals in accordance with religious custom and for the sale of the flesh thereof; or
- (iii) to limit or otherwise affect the right to slaughter, in or upon private premises, a kid intended solely for domestic consumption.

(3) No fee shall be chargeable upon any license granted under this section.

Penalties for contravening section 124.

125. (1) Whoever—

- (a) uses any place in contravention of section 124, or
- (b) omits to give any notice required by any order made in pursuance of sub-section, (2), clause (i) of the said section, shall be punishable with fine which may extend to fifty rupees; and

(2) Whoever after having been convicted of an offence punishable under sub-section (1) clause (a), of this section, continues to contravene any provision of section 124, shall be punishable, for each day after the first during which he continues so to offend, with a fine which may extend to twenty-five rupees.

Management of slaughter-houses generally.

126. Where the cantonment authority has made or approved of any arrangements for—

- (a) passing and marking animals in a slaughter-house as being suitable for slaughter, or
- (b) regulating the admission into a slaughter-house of persons carrying on business or trade or working for gain therein, or regulating the conduct of such persons therein,

the owner or the person in charge of the slaughter-house shall not slaughter, or permit to be slaughtered, any animal therein unless those arrangements are duly observed.

127. (1) The cantonment authority may, by public notice, limit the hours during which any slaughter-house may be kept open for use and slaughter of animals may be permitted therein.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted in, each slaughter-house to which the notice relates.

128. (1) Where it is, in the opinion of the cantonment authority, necessary on sanitary grounds to do so, the cantonment authority may, by public notice, prohibit, for any period not exceeding one month to be specified in the notice, or for such further period, not exceeding one month, as it may from time to time by a like notice specify, the use of any slaughter-house or the slaughter therein of any animal of a description specified in the notice.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted in the slaughter-house to which the notice relates.

129. Where the owner or the person in charge of a private slaughter-house applies for the license therefor, such license shall be granted on payment of the prescribed fee, if any, by the Cantonment Magistrate on his being satisfied:—

- (a) that convenient passages have been provided between any pens, standings or yards in the slaughter-house;
- (b) that a sufficient supply of pure water has been provided for the slaughter-house;

- (c) that sufficient drains have been provided ;
- (d) that the premises are so enclosed as to prevent the interior being visible by passers-by ; and
- (e) that suitable arrangements have been made for—
 - (i) keeping the slaughter-house in a clean and sanitary condition and removing offensive matter and rubbish therefrom ;
 - (ii) the proper ventilation of the buildings and structures in the slaughter-house ;
 - (iii) the proper maintenance of the drains and of any public latrines and urinals that may be required for the use of persons frequenting the slaughter-house ;
 - (iv) the treatment of animals in the slaughter-house ;
 - (v) the slaughter of animals in a humane manner within an enclosure so constructed that animals placed therein shall be out of sight of animals kept outside ;
 - (vi) the removal of animals to such enclosure as aforesaid ;
 - (vii) the disposal or destruction of animals which are offered for slaughter and are from disease or any other cause unfit for human consumption ; and
 - (viii) the destruction of carcasses which from disease or any other cause are found after slaughter to be unfit for human consumption ;

Provided that no license shall be granted for a slaughter-house opened after the commencement of this Code, if the slaughter-house is situated at any place which the cantonment authority thinks, specially with regard to any neighbouring drains or water-courses, to be objectionable.

New private slaughter-houses to be licensed.

130. No private slaughter-house shall, after the commencement of this Code, be opened to public use until it has been licensed.

131. (1) The cantonment authority may, by notice in writing, require the owner or the

Power to require existing private slaughter-houses to be licensed.

person in charge of any private slaughter-house in existence at the commencement of the Secunderabad Cantonment Code, 1903, to furnish within a time to be specified in the notice, any information which may be needed for the purpose of determining whether a license should be required therefor.

(2) On the expiration of such time as aforesaid the cantonment authority shall determine whether or not it is necessary to require a license.

(3) Where the cantonment authority determines that a license shall be required for the slaughter-house, and a license therefor either is not applied for or is refused, the cantonment authority may, by notice in writing, require the owner or the person in charge of the slaughter-house to close the same until a license has been obtained.

Duties of owners or persons in charge of licensed slaughter-houses.

132. The owner or the person in charge of a licensed slaughter-house shall be bound—

- (a) to maintain convenient passages between any pens, standings or yards in the slaughter-house ;
- (b) to maintain a sufficient supply of pure water for the slaughter-house ;
- (c) to keep the slaughter-house in a cleanly and sanitary condition, to provide and maintain receptacles for refuse, and to remove all offensive matter and rubbish from the slaughter-house ;
- (d) to maintain in good order the drains of the slaughter-house and any public latrines or urinals which may have been provided for the use of persons frequenting it ;
- (e) to maintain suitable arrangements for the purposes mentioned in section 129 clause (e), sub-clauses (iv) to (viii) ; and
- (f) to prevent the keeping of animals at the slaughter-house for more than twenty-four hours.

133. (1) Where the owner or the person in charge of a licensed slaughter-house commits

Power to suspend or withdraw licenses for slaughter-houses.

a breach of any of the provisions of sections 127, 128 and 132, the cantonment authority, may in addition to any punishment which may be inflicted under this Code, by order in writing, suspend the license for any period to be specified, in the order, or withdraw the license.

(2) No slaughter-house for which a license has been granted under this Chapter, shall be kept open to public use and no animal shall be slaughtered therein, while the license therefor is suspended or after the same has been withdrawn.

(3) A copy of every order made under sub-section (1) shall be conspicuously posted in the slaughter-house to which the order relates.

Register of private slaughter-houses.

134. The Cantonment Magistrate shall maintain a register of all private slaughter-houses which have been licensed under this Chapter showing—

- (a) the date on which the license was granted ; and
- (b) where the license has been suspended, the date and period of the suspension ; or
- (c) where the license has been withdrawn, the date of the withdrawal.

135. Whoever, knowing that a license granted for a slaughter-house is for the time being suspended or has been withdrawn, slaughters any animal therein, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

Levy of stallages, rents and fees in public markets and slaughter-houses.

136. (1) The cantonment authority may—

(a) charge for the occupation or use of any stall, shop, standing, shed or pen in a public market or slaughter-house, and for the right to expose goods for sale in a public market and for weighing and measuring goods sold therein, and for the right to slaughter animals in any public slaughter-house, such stallages, rents and fees as shall from time to time be fixed by it in this behalf; or

(b) farm the stallages, rents and fees leviable as aforesaid, or any portion thereof, for any period not exceeding one year at a time.

(2) A copy of the table of stallages, rents and fees (if any) leviable in any public market or slaughter-house under sub-section (1) printed in the English language and in such other language or languages as the cantonment authority may direct, shall be affixed in some conspicuous place in the market or slaughter-house, as the case may be.

137. (1) No person shall, without the permission in writing of the cantonment authority, bring into the cantonment any cattle, sheep, goats or swine intended for human consumption or the flesh of any such animal slaughtered outside the cantonment.

(2) Any animal or flesh brought into the cantonment in contravention of sub-section (1) may be seized by the Cantonment Magistrate or by any servant of the cantonment authority, and sold or otherwise disposed of as the cantonment authority may direct, the sale proceeds being credited to the cantonment fund.

(3) Whoever commits a breach of the provisions of this section shall be punishable with fine which may extend to fifty rupees.

Explanation.—Nothing in this section shall be deemed to apply to cured or preserved meat.

Traffic.

138. The cantonment authority shall not permanently close any street or open any new street without the previous sanction of the Resident at Hyderabad, who shall, before issuing orders, consult the Commanding Officer of the Cantonment.

138-A. The cantonment authority may by public notice prohibit or enjoin the use of horns and other warning devices on vehicles of any specified class.

139. Whoever is driving a vehicle along a street shall, except in case of actual necessity, keep to the left when passing a vehicle coming from the opposite direction, and on the right when passing a vehicle going in the same direction.

140. No animal shall be ridden or driven, and no vehicle shall be driven, on any street in a rash or negligent manner.

141. No animal shall be ridden or driven, and no vehicle shall be driven, on any street at a time or in a manner prohibited by public notice issued by the Cantonment Magistrate or by the District Superintendent of Police.

141-A. No person shall cross any unenclosed space under the control of the cantonment authority upon which a notice prohibiting thoroughfare is displayed by the cantonment authority.

142. No vehicle shall be driven, led or kept standing on any street between nightfall and dawn without a suitable lamp placed on the right side thereof unless there is sufficient moonlight to render a lamp unnecessary.

143. Whoever is driving any elephant or camel on a street, shall remove the same to a safe distance on the approach of a horse or of bullocks drawing a vehicle.

144. No vehicle or animal shall be left on a street without proper control.

145. No animal shall be trained, broken in or led for exercise on any street at a time or place prohibited by public notice issued by the cantonment authority.

Obstructing street.

146. No person shall—

- (a) cause any vehicle, with or without an animal harnessed thereto, to remain or stand so as to cause obstruction in any street longer than may be necessary for loading or unloading or for taking up or setting down passengers ; or
- (b) leave or fasten any vehicle or animal so as to cause obstruction in any street ; or
- (c) expose any article for sale, whether upon a stall or booth or in any other manner, so as to cause obstruction in any street ; or
- (d) in any other manner wilfully obstruct or cause obstruction to the free passage of any street.

Burial and Burning grounds.

147. The cantonment authority may, by notice in writing, require the owner or keeper of any burial or burning ground to supply such information as may be specified in the notice concerning the condition, management or position of such ground.

Power to call for information regarding burial and burning grounds.

148. (1) No place not previously used as a burial or burning ground shall, after the commencement of this Code, be so used without the permission in writing of the cantonment authority.

Permission required for use of new burial or burning ground.

(2) Such permission as aforesaid may be granted subject to any conditions which the cantonment authority may think fit to impose for the purpose of preventing annoyance to, or danger to the health of, persons living in the neighbourhood.

149. (1) Where the cantonment authority is of opinion, after making or causing to be made local enquiry, that any burial or burning ground has become offensive to, or dangerous to the health of, persons living in the neighbourhood, it may, with the previous sanction of the Resident at Hyderabad, by notice in writing, require the owner or keeper of such ground to close the same from a date to be specified in the notice.

Power to require closing of burial or burning ground.

(2) Where the Resident at Hyderabad sanctions the issue of any notice under sub-section (1), he shall declare the conditions on which the burial or burning ground may be re-opened, and a copy of the declaration shall be annexed to the notice.

(3) Where the Resident at Hyderabad sanctions the issue of any such notice as aforesaid, he shall require a new burial or burning ground to be provided at the expense of the cantonment fund, or, if the community concerned is willing to provide a new burial or burning ground, a grant to be made from the cantonment fund towards the cost of the same.

150. No corpse shall be buried or burnt in any burial or burning ground in respect of which a notice issued under section 149, sub-section (1), is for the time being in force.

Prohibition of use of burial or burning ground closed under section 149.

Distance between graves.

151. No grave shall be made in any burial ground at a less distance than three feet from the margin of the nearest grave.

152. No corpse shall, without the permission in writing of the cantonment authority, be buried in any burial ground in a grave of less depth than—

Depth of graves.

- (a) four feet, where the grave is made of masonry ; or
- (b) six feet, where the grave is not made of masonry.

153. Every corpse brought to a burial or burning ground shall be buried or burnt, as the case may be, within six hours after it has been so brought.

Corpse to be buried or burnt within six hours.

Corpses to be reduced to ashes.

154. Every corpse brought to a burning ground shall be completely reduced to ashes.

155. Where a corpse has been buried, burnt or otherwise disposed of in contravention of any of the provisions of sections 148, 150, 151, 152, 153 and 154, the cantonment authority may, if it thinks fit, take such order therewith, or with the remains thereof, as shall ensure the proper disposal of the same in accordance with this Code.

Power in respect of improperly dispose of corpses.

156. The provisions of sections 147 to 155 shall not apply to any burial ground which is for the time being managed under rules published in the Public Works Department Code.

Certain burial grounds excepted from operation of sections 147 to 155.

CHAPTER IX.

WATER-SUPPLY.

157. All sources of public water-supply (except such as are used for the purposes of water-works and are for the time being under the control of the Public or Military Works Department), shall be under the control of the cantonment authority.

Control of cantonment authority over sources of public water supply.

158. Where there are no water-works, the cantonment authority shall take all necessary measures for maintaining a supply of pure water, for guarding from pollution water which is used for human consumption, and for preventing polluted water from being so used.

Duty of cantonment authority to maintain supply of pure water, etc.

159. (1) Where, in the opinion of the cantonment authority, the water in any source of public water-supply is likely, if used by any human being or by any milch animal for drinking purposes, to engender or cause the spread of any disorder, the cantonment authority may, by public notice, prohibit the use or removal of the same for all or any of the following purposes, namely :

Power to prohibit use of any source of public drinking water supply.

- (a) the drink of human beings or admixture with any article of human consumption ;
- (b) the drink of milch animals or admixture with any article of food or drink or milch animals ;
- (c) the washing of vegetables or of cooking utensils ;
- (d) any other purpose which is likely to cause its introduction into any article of human consumption.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted near the source of water-supply to which the notice relates.

Power to require proper maintenance, or closing to public use of private source of public drinking water-supply.

160. The cantonment authority may, by notice in writing, require the owner, or any person having control of any source of public water-supply which is used for drinking purposes--

- (a) to keep the same in good order, and to clear it from time to time of silt, refuse or decaying vegetation ; or
- (b) if the water therein is proved to the satisfaction of the cantonment authority to be unfit for drinking purposes, to take such measures as may be specified in the notice to prevent the public from having access to, or using, such water :

Provided that in the case of a well such person as aforesaid may, instead of complying with the notice, signify in writing his desire to be relieved of all responsibility for the proper maintenance of the well and his readiness to place it under the control and supervision of the cantonment authority for the use of the public, and the cantonment authority shall thereupon undertake the control and supervision of the same.

Polluting source of public drinking water-supply. 161. (1) Whoever--

- (a) bathes in any source of public water-supply which is used for drinking purposes ; or
- (b) washes, throws or causes or permits to enter, therein any dog or other animal ; or
- (c) washes or cleanses therein any clothes, wool, cloth, leather, skin, utensil or other thing ; or
- (d) throws or allows to flow thereinto any offensive matter or rubbish ; or
- (e) causes or allows the water of any sink, drain, steam-engine or boiler, or any other filthy or polluted water belonging to him or under his control, to flow thereinto ; or

(f) does any other act whereby the water thereof is polluted or is likely to be polluted, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

(2) For the purposes of this section the cantonment authority may, by public notice, declare what sources of public water-supply are used for drinking purposes.

(3) A copy of every notice issued under sub-section (2) shall be conspicuously posted near the source of water-supply to which the notice relates.

Impairing quality, or diminishing quantity, of water in source of public drinking water-supply or impairing usefulness of water-works.

162. The cantonment authority may, by public notice, prohibit any act specified in the notice which would, in its opinion,—

- (a) impair the quality or diminish the quantity of the water in any source of public water-supply which is set apart for public use and is used for drinking purposes ; or
- (b) injure or impair the usefulness of any of the pipes, locks, cocks, or other fittings of water-works.

Trespass on water-works.

163. (1) The cantonment authority may, by public notice, prohibit trespasses upon land occupied by water-works.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted on the land to which the notice relates.

Altering, obstructing, or encroaching upon public water-channel.

164. (1) No person shall, without the permission in writing of the cantonment authority, alter, obstruct or encroach upon any public water channel.

(2) The cantonment authority may, by notice in writing, require any person who has made any such alteration, obstruction or encroachment as aforesaid to remove or desist from the same.

165. (1) The cantonment authority may, by public notice, prohibit fishing, boating or the gathering of flowers or plants, generally or by any particular method specified in the notice, in any source of public water-supply where it considers that any such act is likely to cause danger to the public health.

Power to prohibit polluting of source of public water-supply by fishing, boating or gathering flowers or plants.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted near the source of water-supply to which the notice relates.

Throwing of corpse into source of public water-supply.

166. No person shall throw a corpse into any source of public water-supply.

167. The cantonment authority may, by notice in writing, require the owner, lessee or occupier of any place in which is carried on any offensive trade or manufacture whereby the water in any source of public water-supply is polluted, to take steps to abate such pollution.

Power to prohibit pollution of source of public water-supply by carrying on offensive trade.

Placing latrine, etc., or depositing offensive matter or rubbish, near source of public water-supply.

168. No person shall, without the permission in writing of the cantonment authority—

- (a) place any latrine, urinal, cesspool or drain, or
 - (b) use for the deposit of offensive matter or rubbish any place,
- within fifty feet of any source of public water-supply.

169. The cantonment authority may, by notice in writing, require any lessee, owner or occupier on whose land any latrine, urinal, cesspool, drain or other receptacle for offensive matter exists within fifty feet of any source of public water-supply, to remove or close the same within one week from the service of the notice.

Removal of latrine, etc., near any source of public water-supply.

Bathing or washing at public well or spring.

170. Whoever—

- (a) bathes, or
- (b) washes any animal or any clothes, wool, cloth, leather, skin, utensil or other things, by the side of any public well or spring so as to pollute the water thereof, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

Regulation of public bathing and washing.

171. (1) The cantonment authority may, by public notice, prohibit—

- (a) bathing, or
 - (b) the washing of animals or of clothes, wool, cloth, leather, skins, utensils or other things, or of any class of such things,
- by the public or any class thereof at any public place specified in the notice.

(2) The cantonment authority may, by public notice,—

- (a) appoint places for—

- (i) bathing, or

- (ii) the washing of animals or of clothes, wool, cloth, leather, skins, utensils or other things, or any class of such things; and

- (b) fix the hours at which alone bathing or washing may be carried on at any place so appointed.

(3) In any notice issued under sub-section (1), separate places may be appointed for bathing and washing respectively, and separate places may be appointed for bathing by men and women respectively.

(4) A copy of every such notice as aforesaid shall be conspicuously posted on or near the place or places to which the notice relates.

Explanation.—In this section the expression “washing an animal” includes driving or throwing an animal, or permitting it to go, into water.

CHAPTER X.

TRADES, CALLINGS AND OCCUPATIONS.

Licenses required for carrying on of certain occupations. 172. No person of any of the following classes, namely,—

- (a) butchers and sellers of poultry, game or fish ;
- (b) persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered in India ;
- (c) persons keeping milch cattle or milch goats for profit ;
- (d) persons keeping for profit any animals other than pigs, milch cattle or milch goats ;
- (e) dairymen and buttermen and makers or sellers of ghi ;
- (f) makers of bread, biscuits or cake and sellers of bread, biscuits or cake made in India ;
- (g) sellers of fruit or vegetables ;
- (h) manufactures of aerated or other potable waters or ice, and sellers of the same ;
- (j) sellers of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters or ice) which are of a perishable nature ;
- (k) sellers of water to be used for drinking purposes ;
- (l) washermen ;
- (m) dealers in hay, straw, wood, charcoal or other inflammable material ;
- (n) dealers in fireworks, kerosene oil, petroleum or any other inflammable oil or spirit ;
- (o) tanners and dyers ;
- (p) persons carrying on any trade or occupation from which offensive or unwholesome smells arise ;
- (q) sellers of wheat, rice, and other grains, or flour used as human food ;
- (r) makers or sellers of sugar or sweet-meats ; and
- (s) hawkers and pedlars ;

shall carry on his trade, calling or occupation in any part of the cantonment unless he has applied for and obtained a license renewable annually from the cantonment authority :

Provided, first, that a license shall not be withheld if the applicant is willing to comply with such conditions as the cantonment authority may think fit to impose under section 173 :

Provided, secondly, that no person who was, at the commencement of the Secunderabad Cantonment Code, 1903, carrying on his trade, calling or occupation in any part of the cantonment shall be bound to apply for a license for carrying on such trade, calling or occupation in that part until he has received from the cantonment authority not less than three months' notice in writing of his obligation to do so, and that, if the cantonment authority refuses to grant him a license, it shall pay reasonable compensation for any loss incurred by reason of such refusal :

Provided, thirdly, that no person shall be required to obtain a license for the sale or storage of petroleum in any case in which a license is required by the Indian Petroleum Act, 1899, as applied to the Cantonment of Secunderabad, to be taken out, save in accordance with the provisions of the said Act, and of the rules framed thereunder. VII of 1899.

173. A license granted to any person under section 172 shall specify the part of the cantonment in which the licensee may carry on his trade, calling, or occupation, and may regulate the hours and manner of transport within the cantonment of any specified articles intended for human consumption, and may contain any conditions which the cantonment authority may think fit to impose with respect to the following matters, namely :

- (a) in the case of butchers and sellers of poultry, game or fish,—
 - (i) the apparatus and coverings to be used in the operations of their trade ;
 - (ii) the places at which, and the manner in which, meat, poultry, game or fish may be exposed for sale ; and
 - (iii) the disposal of meat, poultry, game or fish when found to be unfit for human consumption :
- (b) in the case of persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered in India,—
 - (i) the places at which pigs may be kept ;
 - (ii) the number of pigs which may be kept at any one place ;
 - (iii) the season and the places at which pigs may be slaughtered and the flesh offered for sale ;

- (iv) the manner in which pigs shall be inspected prior to slaughter; and
- (v) the manner in which the flesh thereof shall be inspected and marked prior to sale, and disposed of when found to be unfit for human consumption :
- (c) in the case of persons keeping milch cattle or milch goats for profit,—
 - (i) the places at which such animals may be kept;
 - (ii) the number of such animals which may be kept at any one place ;
 - (iii) the sources from which such animals shall be watered ;
 - (iv) the segregation of any sick or diseased animals ; and
 - (v) the taking of any other measures which the cantonment authority may think necessary for maintaining the premises in a clean and sanitary state :
- (d) in the case of persons keeping for profit any animals other than pigs, milch cattle or milch goats,—
 - (i) the places at which such animals may be kept ;
 - (ii) the number of such animals which may be kept at any one place ; and
 - (iii) the manner of keeping the animals so as to prevent their becoming a public nuisance or injurious to the public health :
- (e) in the case of dairymen, buttermen, and sellers of ghi,—
 - (i) the vessels and other apparatus to be used in the operations of their trade :
 - (ii) the places at which and the manner in which milk or butter may be prepared and kept for sale ; and
 - (iii) the taking of any other measures which the cantonment authority may consider necessary for keeping the premises and all vessels and apparatus in a clean and sanitary state :
- (f) in the case of makers of bread, biscuits, cake or sweet-meats and sellers of bread, biscuits, or cakes or sweet-meats made in India,—
 - (i) the apparatus and the water, flour and other ingredients which may be used in the operations of their trade ;
 - (ii) the places at which bread, biscuits, cake or sweet-meats may be prepared and kept for sale ;
 - (iii) the inspection to be exercised over the making of such articles ; and
 - (iv) the disposal of any such articles which may be found to be unwholesome :
- (g) in the case of sellers of fruit or vegetables,—
 - (i) the places and seasons at which fruit or vegetables, or any specified kinds of fruit or vegetables, may be sold ; and
 - (ii) the disposal of any fruit or vegetables which may be found to be unwholesome, or of which the sale has been prohibited under clause (g), sub-clause (i) :
- (h) in the case of manufacturers of aerated or other potable waters or ice, and sellers of the same,—
 - (i) the sources from which water used in such manufacture shall be taken ;
 - (ii) the machinery, chemicals and ingredients which may be used in such manufacture ;
 - (iii) the measures to be taken in order to ensure the proper filtering of the water used and the cleanliness of all apparatus and receptacles used ; and
 - (iv) the attachment of labels or the adoption of other means for the purpose of identifying the factory at which each article was made :
- (i) in the case of sellers of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters or ice) which are of a perishable nature, the disposal of any articles which may be found to be unwholesome :
- (k) in the case of sellers of water to be used for drinking purposes,—
 - (i) the sources from which such water shall be taken ; and
 - (ii) the taking of measures to ensure the cleanliness of mussels or any other vessels or utensils used for carrying such water ;
- (l) in the case of washermen, the places at which clothes may be washed, dried or kept ;
- (m) in the case of dealers in hay, straw, wood, charcoal or other inflammable material,—
 - (i) the places at which such materials may be kept ;
 - (ii) the quantity, which may be stored at any one place, and the manner of storing ; and
 - (iii) the precautions against fire to be taken by the dealer or the person in charge of the business :

- (n) in the case of dealers in fire-works, petroleum, (in cases in which a license is required under this Code) kerosene oil or any other inflammable oil or spirit,—
 - (i) the places at which, and the quantities in which, any such article may be stored or kept for sale; and
 - (ii) the taking of any measures which the cantonment authority may consider necessary for the prevention of danger to life or property;
- (o) in the case of tanners and dyers, the taking of measures for regulating the discharge of refuse matter from their premises and for abating any nuisance arising from such premises; and
- (p) in the case of persons carrying on any trade or occupation from which offensive or unwholesome smells arise, the taking of any measures which the cantonment authority may consider necessary for the abatement of any nuisance arising from the premises.

Explanation.—For the purposes of clause (a), sub-clause (iii), meat which has been subjected to the process of blowing shall be presumed to be unfit for human consumption.

Power of cantonment authority to make bye-laws as to vehicles, etc. 174. The cantonment authority may, by bye-laws,—

- (a) render licenses necessary for the proprietors or drivers of vehicles, boats or animals kept or plying for hire within the cantonment, and fix the fees payable for such licenses and the conditions on which they are to be granted and may be revoked; and
- (b) limit the rates which may be demanded for the hire of any carriage, cart, boats or other conveyance, or of animals hired to carry loads, or for the services of persons hired to carry loads, and the loads to be carried by such conveyances, animals or persons when hired in the cantonment for a period not exceeding twenty-four hours, or for a service which would ordinarily be performed within twenty-four hours;

Provided, firstly, that no bye-law made under this section by the cantonment authority shall apply to any vehicle to which the Hackney Carriage Act, 1879, as locally applied, applies: XIV of 1879.

Provided, secondly, that no bye-laws be made, except at a meeting of which at least six clear days' notice shall have been given.

175. No person holding a license under section 172 for keeping for profit milch cattle or milch goats, or pigs or any other animal which may be used for human consumption, shall allow

Feeding animals on filth, etc.

the same—

- (a) to be fed upon refuse or any filthy or deleterious substance; or
- (b) to graze in any place in which grazing has for sanitary reasons been prohibited by public notice issued by the cantonment authority.

176. No dairyman holding a license under section 172 shall mix water with, or otherwise adulterate, any milk intended for sale.

Adulteration of milk

Adulteration of butter.

177. No buttermilk holding a license under section 172 shall adulterate any butter intended for sale.

178. No person holding a license under section 172 shall sell any article of food or drink for human consumption which is unfit for that purpose.

Power to remove brothels and prostitutes.

179. (1) The cantonment authority may, by notice in writing, prohibit—

- (a) the keeping of a brothel, or
- (b) the residence of a public prostitute,

in the cantonment or in any specified part thereof.

(2) Whoever fails to comply with a notice issued under sub-section (1) shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

Exclusion of public prostitutes from regimental bazaar.

180. No public prostitute shall be permitted to reside within the limits of any regimental bazaar situate in the cantonment.

181. (1) Where any person holding a license under section 172 or section 174 commits a breach of any of the provisions of sections 173, 175, 176, 177 and 178, the cantonment authority may, in addition to any punishment which may be inflicted under this Code, by

Power to suspend or withdraw license.

order in writing, suspend the license for any reasonable time to be specified in the order, or withdraw the same.

(2) No person who has obtained a license under this Chapter for carrying on a trade, calling or occupation in any part of the cantonment shall carry on such trade, calling or occupation in that part while such license is suspended or after the same has been withdrawn.

CHAPTER XI.

PREVENTION AND TREATMENT OF DISEASE.

Infectious or Contagious Disorders.

Information to be given of existence of infectious or contagious disorder. 182. Whoever—

- (a) being a medical practitioner and in the course of practice becoming cognizant of the existence of any infectious or contagious disorder in any dwelling, other than a public hospital or dispensary, in the cantonment or its neighbourhood ; or,
- (b) in default of such medical practitioner, being the owner or occupier of such dwelling and being cognizant of the existence of any infectious or contagious disorder therein ; or,
- (c) in default of such owner or occupier, being the person in charge of, or in attendance on, any person suffering from any infectious or contagious disorder in such dwelling and being cognizant of the existence of the disorder therein,

fails to give information, or gives false information, to the cantonment authority respecting the existence of such disorder, shall be punishable with fine which may extend to fifty rupees :

Provided that a person not required by this section to give information in the first instance, but only in default of some other person, shall not be punishable if it is shown that he had reasonable cause to suppose that the information had been, or would be, duly given :

Provided, also, that this section shall not apply to venereal disease where the person suffering therefrom is under specific and adequate medical treatment, and by reason of habits, conditions of life and residence, is unlikely to spread the disease.

Explanation.—In this section the expression “infectious or contagious disorder” includes venereal disease.

182-A. Whorver—

Information to be given of existence of infectious or contagious disorder among cattle.

- (a) being a veterinary practitioner and in the course of practice becoming cognizant of the existence in the cantonment or any village thereto adjacent, as an infectious or contagious disorder or any epidemic among horses, cattle, sheep or goats, or
- (b) in default of such veterinary practitioner, being the owner or in charge of such horse, cattle, sheep or goats and being cognizant of the existence amongst them of such infectious or contagious disorder or any epidemic,

fails to give information, or gives false information, to the cantonment authority respecting the existence of such disorder, shall be punishable with fine which may extend to fifty rupees :

Provided that a person not required by this section to give information in the first instance but only in default of some other person, shall not be punishable, if it is shown that he had reasonable cause to suppose that the information had been, or would be, duly given.

183. (1) In the event of the cantonment being at any time visited or threatened by an outbreak of any infectious or contagious disorder among the inhabitants thereof, or of any epidemic disease among the cattle, sheep or goats therein, the cantonment authority, if it is of opinion that the provisions of this Code or of any law at the time in force are insufficient for the purpose, may, with the previous sanction of the Resident at Hyderabad,

(a) take such special measures, and,

(b) by public notice, prescribe such temporary regulations to be observed by the public or by any person or class of persons,

as it thinks necessary to prevent the outbreak of the disorder or disease or the spread thereof.

(2) Whoever commits a breach of any temporary regulations prescribed under sub-section XLV of 1860. (1), shall be deemed to have committed an offence punishable under section 183 of the Indian Penal Code, as applied to the Cantonment of Secunderabad.

184. Where it is certified to

Power to require names of dairyman's customers.

Cantonment Magistrate by a medical practitioner that the outbreak or spread of any infectious or contagious disorder is, in the opinion of such medical practitioner, attributable to the milk supplied by any dairyman, the Cantonment Magistrate may, by notice in writing, require the dairyman, within a time to be

specified in the notice, to furnish him with a full and complete list of the names and addresses of all his customers within the cantonment, or to give him such information as will enable him to trace the persons to whom the dairyman has sold milk.

185. Where it is certified to the Cantonment Magistrate by the Sanitary Officer that it is desirable, with a view to prevent the spread of any infectious or contagious disorder, that the sanitary officer should be furnished with a list of the customers of any washerman, the Cantonment Magistrate may, by notice in writing, require the washerman, within a time to be specified in the notice, to furnish the Sanitary Officer with a full and complete list of the names and addresses of all owners within the cantonment of clothes and other articles for whom the washerman washes or has washed during the six weeks immediately preceding the date of the notice.

186. Where, after inspection, the Sanitary Officer is of opinion that any infectious or contagious disorder is caused, or is likely to arise, from the consumption of the milk supplied from a dairy, or from the washing of soiled clothes or other articles in any place or from any process employed by a washerman, he shall report the matter to the Cantonment Magistrate.

Action on report submitted under section 186. 187. Upon receipt of a report submitted under section 186, the Cantonment Magistrate may, by notice in writing,—

- (a) prohibit the person in charge of the dairy from supplying milk therefrom until the notice has been withdrawn; or, as the case may be,
- (b) prohibit the washerman from washing soiled clothes or other articles in any such place or by any such process as aforesaid until the notice has been withdrawn or unless he uses such place in such manner or washes by such process as the Cantonment Magistrate may direct in the notice.

188. The Sanitary Officer or any Medical Officer of the Government appointed by the cantonment authority may take possession of any milk, clothes or other articles which are, or have recently been, in the possession of any dairyman or washerman on whom a notice under section 184 or section 185, has been served, and may subject the same, or cause the same to be subjected, to such chemical or other process as he may think necessary; and the cantonment authority shall pay from the cantonment fund all the costs of the process, and shall also pay to the owner of the milk, clothes or other articles, such sum as compensation for any loss occasioned by such process as may in the circumstances appear to it to be reasonable.

Contamination of public conveyances. 189. Whoever—

- (a) enters a public conveyance while suffering from an infectious or contagious disorder which would be likely to be communicated to other persons using the conveyance; or
- (b) uses a public conveyance for the carriage of a person who is suffering from any such disorder; or
- (c) uses a public conveyance for the carriage of the corpse of a person who has died from any such disorder;

shall be bound to notify the fact to the driver, and to report to the Cantonment Magistrate the number of the conveyance and the name of the driver.

190. Where any person suffering, or the corpse of any person who has died, from an infectious or contagious disorder, has been carried in a public conveyance, the driver shall forthwith report the fact to the Cantonment Magistrate, and that officer shall forthwith cause the conveyance to be disinfected, if that has not already been done.

191. Where the Cantonment Magistrate is, upon the advice of the Sanitary Officer, of opinion that the cleansing or disinfection of any building or part of a building or of any articles therein likely to retain infection, or the renewal of the flooring of any building or part of a building, would tend to prevent or check the spread of any infectious or contagious disorder, he may, by notice in writing, require the owner or occupier to cleanse and disinfect the said building, part or articles, or to renew the said flooring, within a time to be specified in the notice:

Provided that where, in the opinion of the Cantonment Magistrate, the owner or occupier is, from poverty or any other cause, unable effectually to carry out any such requisition, the Cantonment Magistrate may, at the expense of the cantonment fund, cleanse or disinfect the building or part, or any articles therein likely to retain infection, or renew the said flooring.

192. Where the destruction of any hut or shed is, in the opinion of the cantonment authority, necessary to prevent the spread of any infectious or contagious disorder, the cantonment authority may, by notice in writing, require the owner, within a time to be specified in the notice, to destroy the hut or shed and the materials thereof:

Provided that the cantonment authority shall pay to the owner such sum as may in the circumstances appear to it to be equitable for any loss incurred by reason of the destruction of such hut, shed or materials.

193. The cantonment authority shall provide free of charge temporary shelter or house accommodation for the members of any family in which an infectious or contagious disorder has appeared, who have been compelled to leave their dwellings by reason of any proceedings taken under section 191 or section 192, and desire such shelter or accommodation as aforesaid to be provided for them.

Temporary shelter while building is being disinfected or when infected hut is destroyed.

194. Whoever lets a building or part of a building in which any person has, within the six weeks immediately preceding, been suffering from an infectious or contagious disorder shall, before letting the building or part, disinfect the same, in such manner as the cantonment authority may, by public or special notice, direct, together with all articles therein liable to retain infection.

Disinfection of building and articles therein before letting the building.

Explanation.—For the purposes of this section, the keeper of a sarai shall be deemed to let part of a building to any person who is admitted as a guest into the sarai.

195. No person shall, without previous disinfection of the same, give, lend, sell, transmit or otherwise dispose of to another person any article or thing which he has reason to know has been exposed to contamination by any infectious or contagious disorder.

Disposal of infected article without disinfection.

196. The cantonment authority shall, by public notice, prescribe the manner in which infectious excreta and other matter is to be dealt with or disposed of.

Disposal of infectious matter.

Making or selling of food, etc., or washing of clothes, by infected person.

197. Whoever, while suffering from an infectious or contagious disorder,—

(a) makes or offers for sale any article of food or drink for human consumption, or any medicine or drug, or

(b) takes any part in the business of washing or carrying soiled clothes,

shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

198. The Cantonment Magistrate may, by notice in writing, prohibit any person, while suffering from, or likely to spread, any infectious or contagious disorder, from making, carrying or offering for sale, or from taking any part in the business of making, carrying or offering for sale, any article of clothing or bedding or anything for use in the making of clothing or bedding, or any other article for personal wear or use which may be specified in the notice.

Power to prohibit making, carrying or selling of clothes, bedding or other articles by infected person.

199. When the cantonment is visited or threatened by an outbreak of any infectious or contagious disorder, the cantonment authority may, on the advice of the Cantonment Magistrate and the Sanitary Officer, by public notice, restrict in such manner, or prohibit for such period, as may be specified in the notice, the sale or preparation of any article of food or drink for human consumption specified in the notice, or the sale of the flesh of any description of animal specified in the notice.

Power to restrict or prohibit sale of specified articles of food or drink on outbreak of infectious or contagious disorder.

200. Where any person has died from any infectious or contagious disorder, the Cantonment Magistrate may, by notice in writing,—

Disposal of infected corpse.

(a) require any person having charge of the corpse—

(i) to bury, burn or otherwise dispose of the same, according to the custom of the class to which the deceased belonged, forthwith, or within any period, not exceeding twenty-four hours after death, to be specified in the notice; or

(ii) to convey the same to a mortuary, thereafter to be disposed of in accordance with law; or

(b) prohibit the removal of the corpse from the place where death occurred, except for the purpose of being buried, burnt or otherwise disposed of as aforesaid or of being conveyed to a mortuary.

Hospitals and Dispensaries.

201. (1) So far as the funds at its disposal permit, the cantonment authority may, subject to the orders of the Resident at Hyderabad,—

Maintenance or aiding of hospitals and dispensaries.

(a) provide and maintain, either within or without the cantonment, as many hospitals or dispensaries as may be necessary; or

(b) make, upon such terms as it thinks fit to impose, a grant-in-aid to any hospital or dispensary, whether within or without the cantonment, not maintained by it.

(2) Every hospital or dispensary maintained or aided under sub-section (1) shall have attached to it a ward or wards for the treatment of persons suffering from infectious or contagious disorders.

Explanation.—In this section the expression “infectious or contagious disorder” includes venereal disease.

202. A Medical Officer, to be appointed in such manner as the Resident at Hyderabad Medical Officer to be in charge of my direct, shall be in charge of every hospital or dispensary maintained or aided under section 201.

203. Subject to the control over the cantonment fund which is vested in the Resident at Hyderabad by section 21 of the Cantonments Act, 1910, as applied to the cantonment of Secunderabad, there shall be appointed for every hospital or dispensary maintained or aided under section 201 such subordinate establishment as may be necessary.

204. So far as the funds at its disposal permit, the cantonment authority shall cause every hospital or dispensary maintained or aided under section 201 to be provided with—

- (a) all requisite drugs, instruments, apparatus, furniture and appliances;
- (b) sufficient cost, bedding and clothing for in-patients; and
- (c) such further requisites as may be necessary.

205. Every hospital or dispensary maintained or aided under section 201 shall be maintained in accordance with such rules made by the Governor-General in Council or the Resident at Hyderabad for the conduct of hospitals and dispensaries in the cantonment of Secunderabad.

206. At every hospital or dispensary maintained or aided under section 201 the sick poor of the cantonment, persons in the cantonment suffering from infectious or contagious disorders, and, with the sanction of the cantonment authority, any other sick persons, may receive medical treatment free of cost, and, if treated as in-patients, shall be either dieted gratuitously or, should the Medical Officer in charge so direct, granted subsistence allowance on a scale to be determined by the cantonment authority:

Provided that the subsistence allowance granted as aforesaid shall not be less than the lowest allowance for the time being fixed for the subsistence of judgment debtors by the Resident at Hyderabad under section 57 of the Code of Civil Procedure, 1908, as applied to the cantonment of Secunderabad.

Explanation.—In this section, the expression “infectious or contagious disorder” includes venereal disease.

207. Any sick person who is ineligible under section 206 to receive medical treatment free of cost in any hospital or dispensary maintained or aided under section 201 may, upon such terms as the cantonment authority thinks fit to impose, be admitted to treatment in such hospital or dispensary.

208. If the Medical Officer in charge of a hospital or dispensary maintained or aided under section 201 has *prima facie* grounds for believing that any person living in the cantonment is suffering from an infectious or contagious disorder, he may, by notice in writing in the form set forth in Schedule III or in any similar form, call upon such person to attend at the hospital or dispensary at a time to be specified in the notice, and not to quit it without the permission of the Medical Officer in charge unless and until such Medical Officer is satisfied, by examination (if necessary), that such person is not in fact suffering, or is no longer suffering, from such disorder:

Provided that, if, having regard to the nature of the disorder, or the condition of the person suffering therefrom, or the general environment and circumstances of such person, the Medical Officer considers the attendance of such person at the hospital or dispensary inexpedient, he may dispense with such attendance and take such measures or give such directions as he may think fit and proper.

Explanation.—In this section the expression “infectious or contagious disorder” includes venereal disease.

209. (1) If the Medical Officer in charge of a hospital or dispensary maintained or aided under section 201 reports in writing to the Commanding Officer of the cantonment that any person having received a notice as provided by section 208 has refused or omitted to attend at the hospital or dispensary, or that such person, having attended at the hospital or dispensary has quitted it without the permission of such Medical Officer, the Commanding Officer of the Cantonment may, if he thinks fit, by order in writing, direct such person to remove from the Cantonment within twenty-four hours, and prohibit him from remaining longer in, or re-entering, it without his permission in writing.

(2) Whoever, having been prohibited under sub-section (1) from remaining in or re-entering the cantonment, fails to remove from, or re-enters, it without the permission in writing of

the Commanding Officer of the Cantonment, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

(5) No person who has been prohibited from remaining in or entering any cantonment in British India shall enter the cantonment without the written permission of the Commanding Officer of the Cantonment.

210. No spirituous or fermented liquor, or intoxicating drug or preparation shall be introduced into a hospital or dispensary maintained or aided under section 201 without the permission of the Medical Officer in charge.

Introducing liquor or drug into hospital or dispensary.

211. (1) No land in the cantonment shall be selected for use as a hospital or segregation camp without giving the Cantonment Magistrate and the Sanitary Officer an opportunity of stating their opinions upon the proposed selection.

Temporary hospitals and segregation camps in cantonment.

(2) When any land in the cantonment is used as aforesaid, it shall be ploughed up as soon as practicable after it has ceased to be so used.

Pilgrims.

212. (1) The cantonment authority may provide or prescribe suitable routes for the use of persons passing through the cantonment—

- (a) on their way to or from fairs or places of pilgrimage or other places of public resort; or
- (b) during times when an infectious or contagious disorder is prevalent;
- and may, by public notice, require such persons as aforesaid to use such routes and no others.

(2) All routes provided or prescribed under sub-section (1) shall be clearly and sufficiently indicated by the cantonment authority.

CHAPTER XII.

SUPPRESSION OF MENDICANCY AND LOITERING AND REMOVAL OF DISORDERLY PERSONS.

Mendicancy.

Mendicancy.

213. No mendicant shall, in any street or public place in the cantonment, loiter or beg for alms.

Loitering and Importuning.

214. Whoever, in any street or public place in the cantonment, loiters for the purpose of Loitering or importuning for sexual prostitution or importunes any person to the commission of sexual immorality, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees:

XV of 1910.

Provided that no person shall be charged with a breach of the provisions of this section except on the complaint of the person importuned, or of an officer, as defined in the Cantonments Act, 1910, as applied to the cantonment of Secunderabad, in whose presence the breach was committed, or of a member of the British military police force employed in the cantonment and specially authorised in this behalf by the Commanding Officer of the Cantonment in whose presence the breach was committed, or of any police officer, not below the rank of an officer in charge of a police station, who is employed in the Cantonment and specially authorised in this behalf by the Commanding Officer of the Cantonment.

Removal of Disorderly Persons.

Removal and exclusion from cantonment of disorderly persons, etc.

215. (1) The Cantonment Magistrate may, on receiving information that any person, whether resident in or frequenting the cantonment,—

- (a) is a disorderly person who has been convicted more than once of gambling, or who keeps or frequents a common gaming house, a disorderly drinking shop or a disorderly house of any other description; or
- (b) has been convicted more than once, either within the cantonment or elsewhere, of an offence punishable under Chapter XVII of the Indian Penal Code; or
- (c) has been convicted, either within the cantonment or elsewhere, of any offence punishable under section 156 of the Army Act; or

XLV of 1860.
44 and 45
Vict., c. 53.

(d) has been ordered, under Chapter VIII of the Code of Criminal Procedure, 1898, V of 1898, either within the cantonment or elsewhere, to execute a bond for his good behaviour,

may make an order in writing setting forth the substance of the information received, and issue a summons requiring the person to show cause why he should not be required to remove from the cantonment and be prohibited from re-entering it.

(2) Every summons issued under sub-section (1) shall be accompanied by a copy of such order as aforesaid, and the copy shall be delivered by the officer serving the summons to the person served with the same.

(3) The Cantonment Magistrate shall, when the person so summoned appears before him, proceed to inquire into the truth of the information received, and take such further evidence as he thinks fit, and, if upon such inquiry, it appears to him to be necessary for the maintenance of good order that the person should be required to remove from the cantonment and be prohibited from re-entering it, the Cantonment Magistrate shall report the matter to the Commanding Officer of the Cantonment, and, if the Commanding Officer of the Cantonment so directs, shall issue a notice in writing requiring the person to remove from the cantonment within a time to be specified in the notice and prohibiting him from re-entering it without the permission in writing of the Commanding Officer of the Cantonment.

216. (1) The Commanding Officer of the Cantonment, if he thinks it expedient to exclude any person from the cantonment, whether with or without assigning any reason therefor, and whether such person resides in or frequents the cantonment, shall send to the Cantonment Magistrate an order in writing to that effect, and the Cantonment Magistrate shall cause a copy of the order to be served on the person, together with a notice in writing requiring him to remove from the cantonment within a time to be specified in the notice, and prohibiting him from re-entering it without the permission in writing of the Commanding Officer of the Cantonment :

Provided that no such order as aforesaid shall be made—

(a) where the only reason for making it is that the person—

(i) is disorderly ; or

(ii) has been convicted of an offence punishable under Chapter XVII of the XLV of 1860. Indian Penal Code, or section 156 of the Army Act ; or

44 and 45.
Vict., c. 58
V of 1898.

(iii) has been ordered under Chapter VIII, of the Code of Criminal Procedure, 1898 to execute a bond for his good behaviour ; or

(b) unless the Commanding Officer of the Cantonment thinks that the presence of the person in the cantonment is dangerous to good order or military discipline.

(2) Save where the Commanding Officer of the Cantonment considers immediate action to be necessary, he shall, before making an order under sub-section (1), obtain the previous sanction of the Officer Commanding the Division.

(3) Where an order is made under sub-section (1) without the previous sanction referred to in sub-section (2), the Commanding Officer of the Cantonment shall forthwith send to the Officer Commanding the Division, a copy of the order together with a statement of the reasons therefor.

317. Whoever, knowing that any person has, under sections 209, 215 or 216, been required to remove from the cantonment and has not obtained the requisite permission to re-enter it, harbours or conceals such person in the cantonment, shall be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupees.

Harbouring or concealing person ordered to remove from, and prohibited from re-entering, cantonment.

CHAPTER XIII.

CARE OF ANIMALS.

Prevention of cruelty.

218. Whoever ill-uses, tortures or cruelty beats any animal in the cantonment shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

Cruelty to animals.

219. The places appointed to be infirmaries under section 6, sub-section (2), of the Prevention of Cruelty to Animals Act, 1890, as applied to the Cantonment of Secunderabad, shall be the pounds established for the cantonment of Secunderabad under the Cattle-Trespass Act, 1871, as applied thereto.

Infirmaries.

XI of 1890.

I of 1871.

Grazing.

220. Every owner, or the person in charge, of an animal grazing on any land belonging to or in the occupation of the Government or the Cantonment authority in the cantonment, shall be bound to keep it under proper care and control.

221. (1) Where any animal is found grazing on land belonging to or in the occupation of the Government or the cantonment authority in the cantonment without being under proper care or control, it may be seized by any servant of the cantonment authority and sent within twenty-four hours to the nearest pound established under section 4 of the Cattle-Trespass Act, 1871, as applied to the cantonment of Secunderabad.

(2) Every animal so sent to the pound shall be dealt with as if it had been impounded under the provisions of the said Act as so applied, and the provisions of the said Act shall apply thereto.

(3) Every member of the police force employed in the cantonment shall, when required, aid in preventing resistance to any such seizure as aforesaid and rescues from persons making such seizures.

222. (1) Whoever takes delivery of any animal impounded from the pound-keeper (if any) appointed under section 6 of the Cattle-Trespass Act, 1871, as applied to the cantonment of Secunderabad, shall inform the pound-keeper of the name of the owner of the animal and the name of the person who had charge of the same at the time of its seizure.

(2) Whoever refuses to give the pound-keeper the information required by this rule, or wilfully gives him false information, shall be punishable with fine which may extend to fifty rupees.

CHAPTER XIV.

PREVENTION OF FIRE.

223. (1) No person shall, in any place in the cantonment within one hundred yards of a public building or building having a thatched roof, or in any other place in which the collection or placing of highly inflammable materials may be prohibited by public notice issued by the cantonment authority,—

- (a) stack or collect dry grass, straw or any other highly inflammable material, or
- (b) build a matted structure or a cooking place.

(2) The cantonment authority may, by notice in writing, require any person who has stacked or collected any grass, straw or other highly inflammable material, or has built a matted structure or a cooking-place in contravention of the provisions of sub-section (1), to remove such stack, collection or structure as aforesaid within a time to be specified in the notice.

224. No person shall, without the general or special permission of the cantonment authority, or without payment of such fees as the cantonment authority may fix in that behalf, let off rockets or fire-works of any description, send up a fire-balloon or light a bonfire.

225. No person shall set a naked light on or near any building in any street or public place in the cantonment in such manner as to cause danger of fire :

Provided that this prohibition shall not extend to the use of lights, with the permission in writing of the cantonment authority, for purposes of illumination on the occasion of a festival or public or private entertainment :

CHAPTER XV.

REGISTRATION OF BIRTHS AND DEATHS.

226. (1) The Cantonment Magistrate shall maintain registers, in such forms as may be prescribed by the Resident at Hyderabad, of all births and deaths occurring in the cantonment.

(2) No charge shall be made for the registration of any birth or death under this chapter.

(3) Any clerical error which may at any time be discovered in the registers may be corrected by the Cantonment Magistrate. An error of fact or substance in any such registers

may be corrected by the Cantonment Magistrate by any entry in the margin without any alteration of the original entry, upon production to the Cantonment Magistrate by the person requiring such error to be corrected, of a declaration on oath setting forth the nature of the error and the true facts of the case, made before the Cantonment Magistrate by the person required to give information concerning the birth or death with reference to which the error has been made or, in default of such person, by two credible persons having knowledge of the case and certified by the Cantonment Magistrate to have been made in his presence.

(4) Except as aforesaid, no alteration shall be made in any such register.

227. The head for the time being of every house or family in which any birth occurs, shall, within eight days after the event, report the same at the nearest police station or to the Cantonment Magistrate, together with the following particulars, namely :

Duty of head of house or family to report birth therein.

- (a) the date of the birth, and the sex and name (if any) of the child ;
- (b) the name, place of residence and occupation, and the caste or religion (if any) of the father, if the person making the report is willing to furnish these particulars ; and
- (c) the name and place of residence of the person making the report.

228. The head for the time being of every house or family in which any death occurs, shall, within twenty-four hours after the event, report the same at the nearest police station or to the Cantonment Magistrate, together with the following particulars, namely :

Duty of head of house or family to report death therein.

- (a) the date of the death, the sex, name, age, and occupation, and the caste or religion (if any) of the deceased, the cause of death and the place of residence of the deceased at the time of death ;
- (b) the name of the father, or, if the deceased was a married woman, the name of her husband, if the person making the report is willing to furnish these particulars ; and
- (c) the name and place of residence of the person making the report.

229. It shall be the duty of every Medical Officer of the Government to report to the Cantonment Magistrate, as soon as practicable after the event, every birth and death occurring in the cantonment of which he may become cognizant in the exercise of his profession.

Duty of Medical Officers to report births and deaths.

230. Whoever fails to comply with the provisions of section 227 or section 228 shall be punishable with fine which may extend to five rupees.

Penalty.

CHAPTER XVI.

APPOINTMENT OF AGENTS BY ABSENTEE OWNERS.

231. (1) Whoever, being the owner of any building or land in the cantonment, is absent therefrom, shall appoint some person residing in the cantonment to act as his agent for all the purposes of the Cantonments Act, 1910, as applied to the Cantonment XV of 1910. of Secunderabad, and of this Code, and shall notify such appointment to the Cantonment Magistrate in writing

Duty of absentee owner to appoint agent.

(2) Whoever fails to appoint an agent or to notify such appointment as required by subsection (1) shall be punishable with fine which may extend to twenty rupees, and in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

232. (1) Where any person, by reason of his receiving the rent of immoveable property as agent or trustee, or of his being, as agent or trustee, the person who would receive the rent if the property were let to a tenant, would under any of the provisions of this Code, be bound to discharge any obligation imposed on the owner of the property for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had, in his hands funds sufficient for the purpose belonging to the owner.

Relief to agents and trustees.

(2) The burden of proof of the facts entitling an agent or trustee to relief under subsection (1) shall lie on him.

(3) Where any agent or trustee has claimed and established his right to relief under this section, the cantonment authority may, by notice in writing, require him to apply to the discharge of such obligation as aforesaid the first moneys which shall come to his hands on behalf, or for the use, of the owner ; and, on failure to comply with the notice, he shall be deemed to be personally liable to discharge the obligation.